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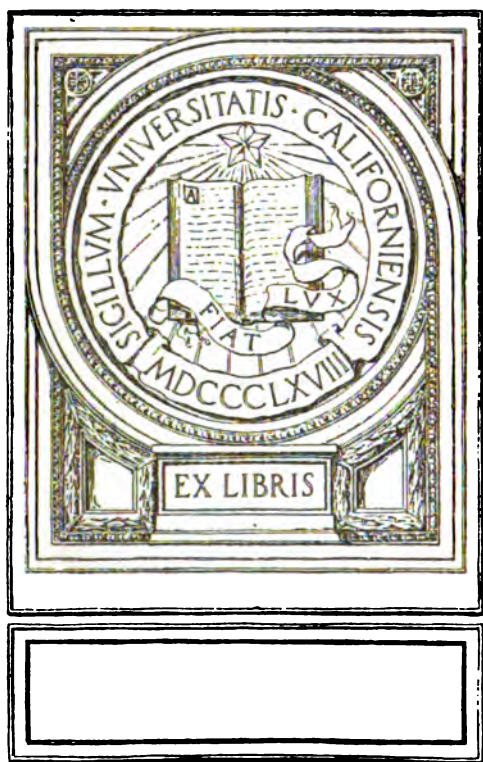
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U.S. Treaties

INDIAN TREATIES,

AND

*Univ. of
CALIFORNIA*

LAWS AND REGULATIONS

RELATING TO INDIAN AFFAIRS:

TO WHICH IS ADDED

AN APPENDIX,

CONTAINING THE PROCEEDINGS OF THE OLD CONGRESS, AND OTHER
IMPORTANT STATE PAPERS, IN RELATION TO INDIAN AFFAIRS.

COMPILED AND PUBLISHED UNDER ORDERS OF THE DEPARTMENT OF WAR OF
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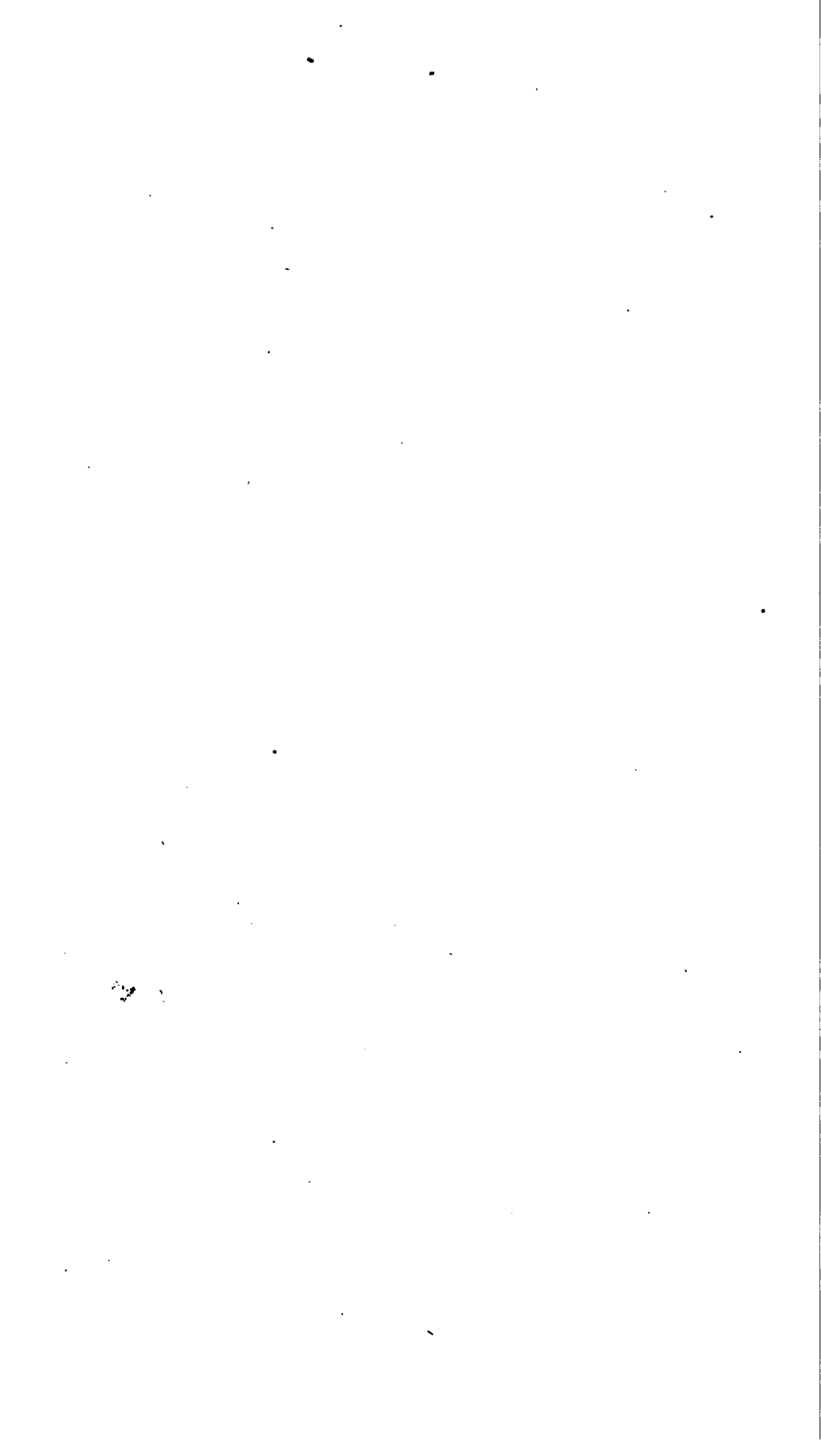


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[*Note.* It is properly remarked, in a note relative to Indian treaties, in the Laws of the U. States, (Colvin's edition, page 710) that—"It is difficult to speak with precision as to the actual force and effect of all the Indian treaties. Their provisions are much intermingled, following in their various stipulations, the varying associations and interests of the different tribes. As a general remark, however, it may be observed, that what relates to the cessions of land must, in its nature, be permanent." It may be added, that while the policy which has been, and still is pursued by the government, with respect to the Indian tribes, continues the same, their condition cannot be considered, under any treaty that may be made with them, as permanently fixed.

The signatures of the Indian chiefs, &c. is commonly that of illiterate men among our own citizens—namely, a cross. But, in many instances, the figure of some animal is drawn, which is supposed to be emblematical of the qualities attributed to the chief by the denomination given to him.

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LAWS OF THE UNITED STATES,

RELATING TO INDIAN AFFAIRS.

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TREATIES

BETWEEN THE UNITED STATES OF AMERICA AND THE INDIANS.

CHAPTER I.

Treaties with the Delawares.

No. 1. Articles of agreement and confederation, made and entered into, by Andrew and Thomas Lewis, esquires, commissioners for, and in behalf of, the United States of North-America, of the one part, and captain White Eyes, captain John Kill Buck, junior, and captain Pipe, deputies, and chief men of the Delaware nation, of the other part. Articles of agreement, &c. between the United States and the Delawares.

Article 1. That all offences or acts of hostilities, by one or either of the contracting parties against the other, be mutually forgiven, and buried in the depth of oblivion, never more to be had in remembrance. Oblivion of the past.

Art. 2. That a perpetual peace and friendship shall, from henceforth, take place and subsist between the contracting parties aforesaid, through all succeeding generations: and if either of the parties are engaged in a just and necessary war with any other nation, or nations, that then each shall assist the other in due proportion to their abilities, till their enemies are brought to reasonable terms of accommodation: and that, if either of them shall discover any hostile designs forming against the other, they shall give the earliest notice thereof, that timeous measures may be taken to prevent their ill effect. Perpetual peace and friendship.
Mutual assistance, in case of war.
Notice to be given of hostile designs.

Art. 3. And whereas the United States are engaged in a just and necessary war, in defence and support of life, liberty, and independence, against the king of England, and his adherents, and as said king is yet possessed of several posts and forts, on the lakes and other places, the reduction of which is of great importance to the peace and security of the contracting parties, and, as the most practicable way for the troops of the United States, to some of the posts and forts, is by passing through the country of the Delaware nation, the aforesaid deputies, on behalf of themselves and their nation, do hereby stipulate, and agree, to give a free passage through their country, to the troops aforesaid, and the same to conduct, by the nearest and best ways, to the posts, forts, or towns of the enemies of the United States, affording to said troops such supplies of corn, meat, horses, or whatever may be in their power, for A free passage through the Delaware nation, to the troops of the United States. Delaware to guide and furnish supplies, &c.

The Delaware warriors to join with such warriors as they can spare.

A fort to be built by the United States, and garrisoned, for the security of the old men, women, and children, of the Delaware.

the accommodation of such troops, on the commanding officers &c. paying, or engaging to pay, the full value of whatever they can supply them with. And the said deputies, on the behalf of their nation, engage to join the troops of the United States aforesaid, with such a number of their best and most expert warriors, as they can spare, consistent with their own safety, and act in concert with them; and for the better security of the old men, women, and children, of the aforesaid nation, whilst their warriors are engaged against the common enemy, it is agreed, on the part of the United States, that a fort of sufficient strength and capacity be built at the expense of the said states, with such assistance as it may be in the power of the said Delaware nation to give, in the most convenient place, and advantageous situation, as shall be agreed on by the commanding officer of the troops aforesaid, with the advice and concurrence of the deputies of the aforesaid Delaware nation; which fort shall be garrisoned by such a number of the troops of the United States, as the commanding officer can spare for the present, and hereafter by such numbers, as the wise men of the United States in council, shall think most conducive to the common good.

Individuals of either party, infracting this treaty, not to be punished except by due course of law.

Mode of trying offenders to be hereafter fixed.

Enemies, fugitive criminals, slaves, &c. not to be countenanced or protected; but to be secured and given up.

Dependence of the Delaware warriors on the United States for supplies of clothing, arms, &c.

An intelligent agent, for the

Art. 4. For the better security of the peace and friendship now entered into by the contracting parties, against all infractions of the same, by the citizens of either party, to the prejudice of the other, neither party shall proceed to the infliction of punishments on the citizens of the other, otherwise than by securing the offender, or offenders, by imprisonment, or any other competent means, till a fair and impartial trial can be had by judges or juries of both parties, as near as can be, to the laws, customs, and usages of the contracting parties, and natural justice: the mode of such trials to be hereafter fixed by the wise men of the United States, in Congress assembled, with the assistance of such deputies of the Delaware nation, as may be appointed to act in concert with them in adjusting this matter to their mutual liking. And it is further agreed between the parties aforesaid, that neither shall entertain, or give countenance to, the enemies of the other, or protect, in their respective states, criminal fugitives, servants, or slaves, but the same to apprehend and secure, and deliver to the state, or states, to which such enemies, criminals, servants, or slaves, respectively belong.

Art. 5. Whereas the confederation entered into by the Delaware nation, and the United States, renders the first dependent on the latter, for all the articles of clothing, utensils, and implements of war, and it is judged not only reasonable, but indispensably necessary, that the aforesaid nation be supplied with such articles, from time to time, as far as the United States may have it in their power, by a well regulated trade, under the conduct of an intelligent, candid agent, with an adequate salary, one more influenced by the love of his country, and a constant

attention to the duties of his department, by promoting the common interest, than the sinister purposes of converting and binding all the duties of his office to his private emolument: convinced of the necessity of such measures, the commissioners of the United States, at the earnest solicitation of the deputies aforesaid, have engaged, in behalf of the United States, that such a trade shall be afforded said nation, conducted on such principles of mutual interest, as the wisdom of the United States, in Congress assembled, shall think most conducive to adopt for their mutual convenience.

purposes of trade, necessary.

Trade to be established on principles of mutual interest.

Art. 6. Whereas the enemies of the United States have endeavored, by every artifice in their power, to possess the Indians in general with an opinion, that it is the design of the states aforesaid, to extirpate the Indians, and take possession of their country; to obviate such false suggestion, the United States do engage to guarantee to the aforesaid nation of Delawares, and their heirs, all their territorial rights in the fullest and most ample manner, as it hath been bounded by former treaties, as long as they, the said Delaware nation, shall abide by, and hold fast the chain of friendship, now entered into. And it is further agreed on between the contracting parties, (should it for the future be found conducive for the mutual interest of both parties,) to invite any other tribes who have been friends to the interest of the United States, to join the present confederation, and to form a state, whereof the Delaware nation shall be the head, and have a representation in Congress: provided, nothing contained in this article to be considered as conclusive, until it meets with the approbation of Congress. And it is also the intent and meaning of this article, that no protection or countenance shall be afforded to any who are at present our enemies, by which they might escape the punishment they deserve.

Guarantee, by the United States, of the territorial rights of the Delawares, as established by former treaties, &c.

Other Indian tribes to be invited to join this confederation, to form a state, and have a representation in Congress. But this article not conclusive till it meets the approbation of Congress, &c. Enemies not to escape punishment.

In witness whereof, the parties have hereunto interchangeably set their hands and seals, at fort Pitt, September seventeenth, anno Domini one thousand seven hundred and seventy-eight.

Andrew Lewis,	L. S.
Thomas Lewis,	L. S.
White Eyes, his x mark.	L. S.
The Pipe, his x mark.	L. S.
John Kill Buck, his x mark.	L. S.

In presence of

Lach'n McIntosh, *b. general, commander the western department.*
 Daniel Brudhead, *colonel 8th P. regiment,*
 W. Crawford, *col.*
 John Campbell,
 John Stephenson,
 John Gibson, *colonel 13th Virginia regiment,*
 A. Graham, *brigade major,*
 Lach. McIntosh, *jun. major brigade,*
 Benjamin Mills,
 Joseph L. Finley, *captain 8th Penna. regiment,*
 John Finley, *captain 8th P. regiment.*

Treaty between the United States and the Delaware.

Annuity from the United States, insufficient.

Country of the Delaware too extensive for their civilization.

The United States desire to connect their settlements, &c.

Tract of country between the Ohio and Wabash, &c. ceded to the United States. [* See post-chap. 3, No. 4.]

Annuity of \$300 for ten years, to be paid to the Delaware, &c.

Persons to be employed at the expense of the United States, to teach them the arts of civilized life, for which \$300 additional to be appropriated yearly for five years, &c.

Stolen horses to be restored.

No. 2. A treaty between the United States of America, and the Delaware tribe of Indians.

The Delaware tribe of Indians, finding that the annuity which they receive from the United States is not sufficient to supply them with the articles which are necessary for their comfort and convenience, and afford the means of introducing amongst them the arts of civilized life, and being convinced that the extensiveness of the country they possess, by giving an opportunity to their hunting parties to ramble to a great distance from their towns, is the principal means of retarding this desirable event : and the United States being desirous to connect their settlements on the Wabash with the state of Kentucky ; therefore, the said United States, by William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and their commissioner plenipotentiary for treating with the Indian tribes northwest of the Ohio river ; and the said tribe of Indians, by their sachems, chiefs, and head warriors, have agreed to the following articles ; which, when ratified by the president of the United States, by and with the advice and consent of the Senate, shall be binding on the said parties :

Art. 1. The said Delaware tribe, for the consideration hereinafter mentioned, relinquishes to the United States, forever, all their right and title to the tract of country which lies between the Ohio and Wabash rivers, and below the tract ceded by the treaty of fort Wayne,* and the road leading from Vincennes to the falls of Ohio.

Art. 2. The said tribe shall receive from the United States, for ten years, an additional annuity of three hundred dollars, which is to be exclusively appropriated to the purpose of ameliorating their condition, and promoting their civilization. Suitable persons shall be employed at the expense of the United States, to teach them to make fences, cultivate the earth, and such of the domestic arts as are adapted to their situation ; and a further sum of three hundred dollars shall be appropriated annually, for five years, to this object. The United States will cause to be delivered to them, in the course of the next spring, horses fit for draught, cattle, hogs, and implements of husbandry, to the amount of four hundred dollars. The preceding stipulations, together with goods to the amount of eight hundred dollars, which is now delivered to the said tribe, (a part of which is to be appropriated to the satisfying certain individuals of the said tribe, whose horses have been taken by white people,) is to be considered as full compensation for the relinquishment made in the first article.

Art. 3. As there is great reason to believe that there are now in the possession of the said tribe, several horses which have been stolen from citizens of the United States, the chiefs who represent the said tribe, are to use their utmost endeavors

to have the said horses forthwith delivered to the superintendent of Indian affairs, or such persons as he may appoint to receive them. And as the United States can place the utmost reliance on the honor and integrity of those chiefs who have manifested a punctilious regard to the engagements entered into at the treaty of Greenville, it is agreed, that in relation to such of the horses, stolen as aforesaid, but which have died, or been removed beyond the reach of the chiefs, the United States will compensate the owners for the loss of them, without deducting, from the annuity of the said tribe, the amount of what may be paid in this way. But it is expressly understood, that this provision is not to extend to any horses which have been stolen within the course of twelve months preceding the date hereof.

The United States to pay for stolen horses out of reach, or dead, without deduction ;

Except horses stolen within the preceding twelve months.

Art. 4. The said tribe having exhibited to the above-named commissioner of the United States, sufficient proof of their right to all the country which lies between the Ohio and White river, and the Miami tribe, who were the original proprietors of the upper part of that country, having explicitly acknowledged the title of the Delawares, at the general council held at fort Wayne, in the month of June, 1803,* the said United States will, in future, consider the Delawares as the rightful owners of all the country which is bounded by the White river on the north, the Ohio on the south, the general boundary line running from the mouth of the Kentucky river on the east, and the tract ceded by this treaty, and that ceded by the treaty of fort Wayne, on the west and southwest.

Territorial rights of the Delawares, specified and recognized by the United States, &c. [* See post chap. 3, No. 4.]

Art. 5. As the Piankeshaw tribe have hitherto obstinately persisted in refusing to recognize the title of the Delawares to the tract of country ceded by this treaty, the United States will negotiate with them, and will endeavor to settle the matter in an amicable way ; but should they reject the propositions that may be made to them on this subject, and should the United States not think proper to take possession of the said country without their consent, the stipulations and promise herein made, on behalf of the United States, shall be null and void.†

The United States to negotiate with the Piankeshaws, concerning their refusal to recognize the title of the Delawares to the tract ceded, &c.

Art. 6. As the road from Vincennes to Clark's Grant will form a very inconvenient boundary, and as it is the intention of the parties to these presents, that the whole of the said road shall be within the tract ceded to the United States, it is agreed that the boundary, in that quarter, shall be a straight line, to be drawn parallel to the course of the said road, from the eastern boundary of the tracts ceded by the treaty of fort Wayne to Clark's Grant: but the said line is not to pass at a greater distance than half a mile from the most northerly bend of said road.

Boundary, so as to include the road from Vincennes to Clark's grant, in the tract ceded, &c.

† The Piankeshaws relinquished their claim to the tract of land in question, by the treaty of Vincennes, of the 27th of August, 1804. See post chap. 10, No. 1, art. 1.

In witness whereof, the commissioner plenipotentiary of the United States, and the chiefs and head men of the said tribe, have hereunto set their hands and affixed their seals. Done at Vincennes, the eighteenth day of August, in the year of our Lord one thousand eight hundred and four; and of the independence of the United States the twenty-ninth.

William Henry Harrison,	L. S.
Jeta Buxika, his x mark,	L. S.
Bokongehelas, his x mark,	L. S.
Almee, or Geo. White Eyes, his x mark,	L. S.
Hocking Pomsdann, his x mark,	L. S.
Tomaguec, or the Beaver, his x mark,	L. S.

Signed, sealed, and delivered in presence of

John Gibson, *secretary to the commissioner.*
 Henry Vanderburg, *one of the judges of the Indiana Territory.*
 Vigo, *colonel of Knox county, I. T. Militia.*
 B. Parke, *attorney-general of the I. T.*
 John Rice Jones, *of the Indiana T'y.*
 Robert Buntin, *prothonotary of Knox county, I. T.*
 G. Wallace, jun. *of the Indiana Territory.*
 Antonie Marchal, *of the Indiana Territory.*
 Joseph Barron, *interpreter.*
 Edward Hempstead, *attorney at law.*

I do certify, that each and every article of the foregoing treaty was carefully explained, and precisely interpreted, by me, to the Delaware chiefs who have signed the same.

- JOHN GIBSON.

Treaty with the Delawares, St. Mary's, (O.) 3d Oct 1818. Delawares cede all claim to land in Indiana. United States to provide a country for the Delawares on the west of the Mississippi. Full value of Delaware improvements to be paid—horses, perogues, &c. to be furnished.

Use and occupation of improvements for 3 years to Delawares.

Perpetual an-

No. 3. Articles of a treaty made and concluded at St. Mary's, in the state of Ohio, between Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners of the United States, and the Delaware nation of Indians.

Art. 1. The Delaware nation of Indians cede to the United States all their claim to land in the state of Indiana.

Art. 2. In consideration of the aforesaid cession, the United States agree to provide for the Delawares a country to reside in, upon the west side of the Mississippi, and to guarantee to them the peaceable possession of the same.

Art. 3. The United States also agree to pay the Delawares the full value of their improvements in the country hereby ceded: which valuation shall be made by persons to be appointed for that purpose by the President of the United States; and to furnish the Delawares with one hundred and twenty horses, not to exceed in value forty dollars each, and a sufficient number of perogues, to aid in transporting them to the west side of the Mississippi; and a quantity of provisions, proportioned to their numbers, and the extent of their journey.

Art. 4. The Delawares shall be allowed the use and occupation of their improvements, for the term of three years from the date of this treaty, if they so long require it.

Art. 5. The United States agree to pay the Delawares a perpetual annuity of four thousand dollars; which, together with

all annuities which the United States, by any former treaty, engaged to pay to them, shall be paid in silver, at any place to which the Delawares may remove. annuity to the Delawares.

Art. 6. The United States agree to provide and support a blacksmith, blacksmith for the Delawares, after their removal to the west side of the Mississippi. A blacksmith, after removal.

Art. 7. One-half section of land shall be granted to each of the following persons, namely; Isaac Wobby, Samuel Cassman, Elizabeth Petchaka, and Jacob Dick; and one quarter of a section of land shall be granted to each of the following persons, namely; Solomon Tindell, and Benoni Tindell; all of whom are Delawares; which tracts of land shall be located, after the country is surveyed, at the first creek above the old fort on White river, and running up the river; and shall be held by the persons herein named, respectively, and their heirs; but shall never be conveyed or transferred without the approbation of the President of the United States. Grants of land to individual Delawares, on White River — but not transferable without consent.

Art. 8. A sum, not exceeding thirteen thousand three hundred and twelve dollars and twenty-five cents, shall be paid by the United States, to satisfy certain claims against the Delaware nation; and shall be expended by the Indian agent at Piqua and fort Wayne, agreeably to a schedule this day examined and approved by the commissioners of the United States. United States to pay certain claims on the Delawares at Piqua and fort Wayne.

Art. 9. This treaty, after the same shall be ratified by the President and Senate of the United States, shall be binding on the contracting parties. Treaty binding when ratified.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the chiefs and warriors of the Delaware nation of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this third day of October, in the year of our Lord one thousand eight hundred and eighteen.

JONATHAN JENNINGS,
LEW. CASS,
B. PARKE.

Kittheleland, or Anderson, his x mark,
Lapahnihe, or Big Bear, his x mark,
James Nanticoke, his x mark,
Apacahund, or White Eyes, his x mark,
Captain Killbuck, his x mark,
The Beaver, his x mark,
Netahopuma, his x mark,
Captain Tunis, his x mark,
Captain Ketchum, his x mark,
The Cat, his x mark,
Ben Beaver, his x mark,
The War Mallet, his x mark,
Captain Cagbkoo, his x mark,
The Buck, his x mark,
Petchenanalas, his x mark,
John Quake, his x mark,
Quenaghtoothmait, his x mark,
Little Jack, his x mark.

In presence of
 James Dill, *Secretary to the Commissioners,*
 William Turner, *Secretary,*
 Jno. Johnston, *Indian Agent,*
 B. F. Stickney, *S. L. A.*
 John Conner,
 William Conner, *Interpreter,*
 John Kinzie, *Sub Agent,*
 G. Godfroy, *Sub Agent,*
 John F. Chunn, *Maj. 3d U. S. Infantry,*
 J. Hackley, *Capt. 3d Infantry,*
 William Oliver,
 Hillary Brunot, *Lt. 3d Infantry,*
 David Oliver,
 R. A. Forsyth, *J. Secretary Ind. Depart.*

[*Note.* The three preceding treaties are all that the Delawares have concluded, separately, with the United States. It will be perceived, that they are the first nation of Indians with which the United States entered into a formal treaty; and it seems by the 6th article of No. 1, of this chapter, that it was contemplated in the year 1778, during the American revolutionary contest with Great-Britain, to institute an *Indian state*, with the Delawares at its head, and with a right to a representation in Congress. The wandering mode of life and peculiar habits of the Indians, no doubt, frustrated this benevolent plan. The Delaware Indians are parties, in common with several different tribes, to other treaties with the United States; to wit: the treaties of fort McIntosh, 21st of January, 1785; of fort Harmar, 9th of January, 1789; of Greenville, 3d of August, 1795; of fort Wayne, 7th of June, 1803; of fort Industry, 4th of July, 1805; of Grouseland, 21st of August, 1805; of fort Wayne, 30th of September, 1809; of Greenville, 22d of July, 1814; of Springwells, 8th of September, 1815; and of the foot of the Rapids, &c. 29th of September, 1817. See post. chap. 3. Nos. 1, 2, 3, 4, 6, 7, 10, 12, 13, 16.]

CHAPTER II.

Treaties, and contracts with the Six Nations, and other tribes of Indians in the state of New-York.*

Treaty between the United States and the Six Nations.

No. 1. Articles of a treaty concluded at fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty-four, between Oliver Wolcott, Richard Butler, and Arthur Lee, commissioners plenipotentiary from the United States, in Congress assembled, on the one part, and the sachems and warriors of the Six Nations, on the other.

The United States give peace and protection.
 Six Indian

The United States of America give peace to the Senekas, Mohawks, Onondagas, and Cayugas, and receive them into their protection upon the following conditions:

Art. 1. Six hostages shall be immediately delivered to the

* The tribes composing the Six Nations are the Mohawks, Oneidas, Onondagas, Cayugas, Senekas, and Tuscaroras. The latter did not originally belong to the confederacy, but emigrated from North-Carolina, and joined it many years ago. The Stockbridge Indians also who are with the Oneidas and Tuscaroras, parties to No 5, of this chapter, emigrated from Massachusetts and settled, with the consent of the Six Nations, on the lands they now occupy. The Mohawks are separately parties to No. 7, and the Senekas to Nos. 8, 9, 10 & 11, of this chapter.

commissioners by the said nations, to remain in possession of hostages to be delivered for the return of prisoners. the United States, till all the prisoners, white and black, which were taken by the said Senekas, Mohawks, Onondagas, and Cayugas, or by any of them, in the late war, from among the people of the United States, shall be delivered up.

Art. 2. The Oneida and Tuscarora nations shall be secured in the possession of the lands on which they are settled. Lands secured to Oneidas and Tuscaroras.

Art. 3. A line shall be drawn, beginning at the mouth of a creek, about four miles east of Niagara, called Oyonwayea, or Johnston's Landing Place, upon the lake, named by the Indians Oswego, and by us Ontario; from thence southerly, in a direction always four miles east of the carrying path, between lake Erie and Ontario, to the mouth of Tehoseroron, or Buffalo creek, on lake Erie; thence south, to the north boundary of the state of Pennsylvania; thence west, to the end of the said north boundary; thence south, along the west boundary of the said state, to the river Ohio; the said line, from the mouth of the Oyonwayea to the Ohio, shall be the western boundary of the lands of the Six Nations; so that the Six Nations shall and do yield to the United States, all claims to the country west of the said boundary; and then they shall be secured in the peaceful possession of the lands they inhabit, east and north of the same, reserving only six miles square, round the fort of Oswego, to the United States, for the support of the same. Boundary line, fixing the western limit of the territorial possessions of the Six Nations, &c.

Art. 4. The commissioners of the United States, in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States, upon the signing of the above articles, will order goods to be delivered to the said Six Nations, for their use and comfort. Reservation of six miles round fort Oswego.

Oliver Wolcott,	L. S.
Richard Butler,	L. S.
Arthur Lee,	L. S.

MOHAWKS.

Ohogwendahonji, his x mark,	L. S.
Toughnatogon, his x mark,	L. S.

ONONDAGAS.

Oheadarighton, his x mark,	L. S.
Kendarindgon, his x mark,	L. S.

SENEKAS.

Tayagonendagighti, his x mark,	L. S.
Tehonwaesghrigagi, his x mark,	L. S.

ONEIDAS.

Otyadonenghti, his x mark,	L. S.
Dagaheari, his x mark,	L. S.

CAYUGA.

Oraghgoanendagen, his x mark,	L. S.
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TUSCARORAS.

Ononghsawenghti, his x mark,
 Tharondawagon, his x mark,

L. 9.
 L. 8.

SENEKA ABEAL.

Kayenthoghke, his x mark.

L. 8.

Witnesses.

Sam. Jo. Atlee,
 Wm. Maclay,
 Fras. Johnston, } *Pennsylvania commissioners.*
 Aaron Hill,
 Alexander Campbell,
 Saml. Kirkland, *missionary*,
 James Dean,
 Saml. Montgomery,
 Derick Lane, *capt.*
 John Mercer, *lieut.*
 William Pennington, *lieut.*
 Mahlon Hord, *ensign*,
 Hugh Peebles.

Treaty between the
 United States
 and the Six
 Nations,

No. 2. Articles of a treaty made at fort Harmar, the ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine, between Arthur St. Clair, esquire, governor of the territory of the United States of America, north-west of the river Ohio, and commissioner plenipotentiary of the said United States, for removing all causes of controversy, regulating trade, and settling boundaries, between the Indian nations in the northern department and the said United States, of the one part, and the sachems and warriors of the Six Nations, of the other part, viz :

Reference to
 the treaty of
 fort Stanwix,
 which immediately
 precedes this
 No. 1.

Art. 1. Whereas the United States, in Congress assembled, did, by their commissioners, Oliver Wolcott, Richard Butler, and Arthur Lee, esquires, duly appointed for that purpose, at a treaty held with the said Six Nations, viz : with the Mohawks, Oneidas, Onondagas, Tuscaroras, Cayugas, and Senekas, at fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty-four, give peace to the said nations, and receive them into their friendship and protection: And whereas the said nations have now agreed to and with the said Arthur St. Clair, to renew and confirm all the engagements and stipulations entered into at the beforementioned treaty at fort Stanwix : and whereas it was then and there agreed, between the United States of America and the said Six Nations, that a boundary line should be fixed between the lands of the said Six Nations and the territory of the said United States, which boundary line is as follows, viz : Beginning at the mouth of a creek, about four miles east of Niagara, called Ononwayea, or Johnston's Landing Place, upon the lake named by the Indians Oswego, and by us Ontario; from thence southerly, in a direction always four miles east of the carrying place, between lake Erie and lake Ontario, to the mouth of Tehoseroron, or Buffalo creek, upon lake Erie; thence south, to the northern

Renewal of
 engagements.

Reference to
 the old boundary
 line, &c.
 as described in
 the preceding
 treaty No. 1.

boundary of the state of Pennsylvania ; thence west, to the end of the said north boundary ; thence south, along the west boundary of the said state to the river Ohio. The said line, from the mouth of Ononwayea to the Ohio, shall be the western boundary of the lands of the Six Nations, so that the Six Nations shall and do yield to the United States, all claim to the country west of the said boundary ; and then they shall be secured in the possession of the lands they inhabit east, north, and south of the same, reserving only six miles square, round the fort of Oswego, for the support of the same. The said Six Nations, except the Mohawks, none of whom have attended at this time, for and in consideration of the peace then granted to them, the presents they then received, as well as in consideration of a quantity of goods, to the value of three thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do hereby renew and confirm the said boundary line in the words beforementioned, to the end that it may be and remain as a division line between the lands of the said Six Nations and the territory of the United States, forever. And the undersigned Indians, as well in their own names as in the name of their respective tribes and nations, their heirs and descendants, for the considerations beforementioned, do release, quit claim, relinquish, and cede, to the United States of America, all the lands west of the said boundary or division line, and between the said line and the strait, from the mouth of Ononwayea and Buffalo creek, for them, the said United States of America, to have and to hold the same, in true and absolute propriety, forever.

The Mohawks extended.

\$3,000 worth of goods delivered.

Old boundary confirmed.

Lands west of said line, ceded forever to the United States, &c.

Art. 2. The United States of America confirm to the Six Nations, all the lands which they inhabit, lying east and north of the beforementioned boundary line, and relinquish and quit claim to the same and every part thereof, excepting only six miles square round the fort of Oswego, which six miles square round said fort is again reserved to the United States by these presents.

Lands east and north of the boundary line confirmed to the Six Nations ; except, &c.

Art. 3. The Oneida and Tuscarora nations, are also again secured and confirmed in the possession of their respective lands.

Lands of Oneidas and Tuscaroras confirmed.

Art. 4. The United States of America renew and confirm the peace and friendship entered into with the Six Nations, (except the Mohawks,) at the treaty beforementioned, held at fort Stanwix, declaring the same to be perpetual. And if the Mohawks shall, within six months, declare their assent to the same, they shall be considered as included.

Peace and friendship renewed and confirmed. Mohawks allowed six months.

Done at fort Harmar, on the Muskingum, the day and year first above written.

In witness whereof, the parties have hereunto, interchangeably, set their hands and seals.

Ar. St. Clair,
Cageaga, or Dogs Round the Fire,

L. S.
L. S.

Sawedowa, or The Blast,	1. s.
Kiondushowa, or Swimming Fish,	1. s.
Oncahye, or Dancing Feather,	1. s.
Solmeas, or Falling Mountain,	1. s.
Otachsaka, or Broken Tomahawk, his x mark,	1. s.
Tekahias, or Long Tree, his x mark,	1. s.
Onechsetec, or Loaded Man, his x mark,	1. s.
Kiahtulaho, or Snake,	1. s.
Aqueia, or Bandy Legs,	1. s.
Kiandogewa, or Big Tree, his x mark,	1. s.
Owenewa, or Thrown in the Water, his x mark,	1. s.
Gyantwaia, or Cornplanter, his x mark,	1. s.
Gyasota, or Big Cross, his x mark,	1. s.
Kannasec, or New Arrow,	1. s.
Achiout, or Half Town,	1. s.
Anachout, or The Wasp, his x mark,	1. s.
Chishekoa, or Wood Bug, his x mark,	1. s.
Sessewa, or Big Bale of a Kettle,	1. s.
Sciahowa, or Council Keeper,	1. s.
Tewanias, or Broken Twig,	1. s.
Sonachshowa, or Full Moon,	1. s.
Cachunwasse, or Twenty Canoes,	1. s.
Hickonquash, or Tearing Asunder,	1. s.

In presence of

Jos. Harmar, *lieut. col. comdg. 1st United States' regt. and brig. gen. by brevet,*
 Richard Butler,
 Jno. Gibson,
 Will. McCurdy, *captain,*
 Ed. Denny, *ensign 1st United States regiment,*
 A. Hartshorn, *ensign,*
 Robt. Thompson, *ensign 1st United States' regiment,*
 Fran. Leile, *ensign,*
 Joseph Nicholas.

SEPARATE ARTICLE, OF THE NEXT PRECEDING TREATY.

Robberies and
murders to be
punished ac-
cording to the
law of the
state or terri-
tory where
they occur.

Stolen horses
to be restored.

Offenders to
be delivered
up.

Should a robbery or murder be committed by an Indian or Indians of the Six Nations, upon the citizens or subjects of the United States, or by the citizens or subjects of the United States, or any of them, upon any of the Indians of the said nations, the parties accused of the same shall be tried, and if found guilty, be punished according to the laws of the state, or of the territory of the United States, as the case may be, where the same was committed. And should any horses be stolen, either by the Indians of the said nations, from the citizens or subjects of the United States, or any of them, or by any of the said citizens or subjects from any of the said Indians, they may be reclaimed into whose possession soever they may have come; and, upon due proof, shall be restored, any sale in open market notwithstanding; and the persons convicted shall be punished with the utmost severity the laws will admit. And the said nations engage to deliver the persons that may be accused, of their nations, of either of the beforementioned crimes, at the nearest post of the United States, if the crime was committed within

the territory of the United States; or to the civil authority of the state, if it shall have happened within any of the United States.

AR. ST. CLAIR.

No. 3. A treaty between the United States of America, and the tribes of Indians called the Six Nations.

Treaty between the U. S. and the Six Nations.

The President of the United States having determined to hold a conference with the Six Nations of Indians, for the purpose of removing from their minds all causes of complaint, and establishing a firm and permanent friendship with them; and Timothy Pickering being appointed sole agent for that purpose; and the agent having met and conferred with the sachems, chiefs, and warriors, of the Six Nations, in a general council: now, in order to accomplish the good design of this conference, the parties have agreed on the following articles; which, when ratified by the president; with the advice and consent of the Senate of the United States, shall be binding on them and the Six Nations.

Desire of the United States to remove causes of complaint, &c.

Art. 1. Peace and friendship are hereby firmly established, and shall be perpetual, between the United States and the Six Nations.

Perpetual peace and friendship.

Art. 2. The United States acknowledge the lands reserved to the Oneida, Onondaga, and Cayuga nations, in their respective treaties with the state of New-York,* and called their reservations, to be their property; and the United States will never claim the same, nor disturb them, or either of the Six Nations, nor their Indian friends, residing thereon, and united with them, in the free use and enjoyment thereof: but the said reservations shall remain theirs, until they choose to sell the same to the people of the United States, who have a right to purchase.

Reservations of Oneida, Onondaga, and Cayuga lands, in their treaties with the state of New-York, secured to them.

Art. 3. The land of the Seneca nation is bounded as follows: beginning on lake Ontario, at the northwest corner of the land they sold to Oliver Phelps; the line runs westerly along the lake, as far as Oyōngwongyeh creek, at Johnston's Landing Place, about four miles eastward from the fort of Niagara; then southerly, up that creek to its main fork; then straight to the main fork of Stedman's creek, which empties into the river Niagara, above fort Schlosser; and then onward, from that fork, continuing the same straight course, to that river; (this line, from the mouth of Oyōngwongyeh creek to the river Niagara, above fort Schlosser, being the eastern boundary of a strip of land, extending from the same line to Niagara river, which the Seneca nation ceded to the king of Great Britain, at

Boundary line of lands, within which the title is acknowledged, and confirmed to the Senecas.

* See post. No. 4. "Contracts between the state of New-York and different tribes of the Six Nations," &c.

a treaty held about thirty years ago, with sir William Johnston; then the line runs along the river Niagara to lake Erie; then along lake Erie, to the northeast corner of a triangular piece of land, which the United States conveyed to the state of Pennsylvania, as by the president's patent, dated the third day of March, 1792; then due south to the northern boundary of that state; then due east to the southwest corner of the land sold by the Seneka nation to Oliver Phelps; and then north and northerly, along Phelps's line, to the place of beginning on lake Ontario. Now, the United States acknowledge all the land within the aforementioned boundaries, to be the property of the Seneka nation; and the United States will never claim the same, nor disturb the Seneka nation, nor any of the Six Nations, or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but it shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase.

The United States not to disturb the possessions of the Senekas, &c. within said boundary, &c.

The Six Nations relinquish all claim to lands within the boundaries of the United States, &c.

Art. 4. The United States having thus described and acknowledged what lands belong to the Oneidas, Onondagas, Cayugas, and Senekas, and engaged never to claim the same, nor to disturb them, or any of the Six Nations, or their Indian friends residing thereon, and united with them, in the free use and enjoyment thereof: now, the Six Nations, and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States; nor ever disturb the people of the United States in the free use and enjoyment thereof.

The Six Nations cede the right to make a road from fort Schlosser to lake Erie; and allow a free passage through their lands, the free use of their harbors, &c.

Art. 5. The Seneka nation, all others of the Six Nations concurring, cede to the United States the right of making a wagon road from fort Schlosser to lake Erie, as far south as Buffalo creek; and the people of the United States shall have the free and undisturbed use of this road, for the purposes of travelling and transportation. And the Six Nations, and each of them, will forever allow to the people of the United States, a free passage through their lands, and the free use of the harbors and rivers adjoining, and within their respective tracts of land, for the passing and securing of vessels and boats, and liberty to land their cargoes, where necessary for their safety.

In consideration of the engagements entered into by the Six Nations, the United States deliver to them goods to the value of \$10,000.

Additional annual allowance of

Art. 6. In consideration of the peace and friendship hereby established, and of the engagements entered into by the Six Nations; and because the United States desire, with humanity and kindness, to contribute to their comfortable support; and to render the peace and friendship hereby established strong and perpetual, the United States now deliver to the Six Nations, and the Indians of the other nations residing among and united with them, a quantity of goods of the value of ten thousand dollars. And for the same considerations, and with a view to promote the future welfare of the Six Nations, and of their Indian friends aforesaid, the United States will add the sum of

three thousand dollars, to the one thousand five hundred dollars ^{\$5,000 to the} heretofore allowed them by an article ratified by the president, ^{Six Nations.} on the twenty-third day of April, 1792,* making in the whole four thousand five hundred dollars;† which shall be expended ^{\$4,500 to be} yearly, forever, in purchasing clothing, domestic animals, imple- ^{expended} ments of husbandry, and other utensils suited to their circum- ^{yearly, for} stances, and in compensating useful artificers, who shall reside ^{the benefit of} with or near them, and be employed for their benefit. The ^{the Six Na-} immediate application of the whole annual allowance now stipu- ^{tions, and} lated, to be made by the superintendent, appointed by the presi- ^{applied by a} dent, for the affairs of the Six Nations, and their Indian friends ^{superintendent} ^{appointed by} ^{the United} ^{States.} aforesaid.

Art. 7. Lest the firm peace and friendship now established No individual should be interrupted by the misconduct of individuals, the retaliation for United States and Six Nations agree, that for injuries done by private inju- individuals on either side, no private revenge or retaliation shall ries, but com- take place; but, instead thereof, complaint shall be made by the plaint to be party injured, to the other: by the Six Nations, or any of them, made, and re- to the President of the United States, or the superintendent by dress to be sought, by one party, to and from the other, &c. him appointed: and by the superintendent, or other person ap- pointed by the President, to the principal chiefs of the Six Nations, or of the nation to which the offender belongs: and such prudent measures shall then be pursued as shall be necessary to preserve our peace and friendship unbroken; until the legislature (or great council) of the United States shall make other equitable provision for the purpose.

Note. It is clearly understood by the parties to this treaty, that The annuity stipulated in the sixth article, is to be applied to the benefit of such of the Six Nations and of their Indian friends to be applied to the benefit only of such of united with them as aforesaid, as do or shall reside within the

* The following is the article alluded to. It was ratified, in due form, like the treaties, by the President and the Senate:

"The President of the United States, by Henry Knox, secretary for the department of war, stipulates, in behalf of the United States, the following article, with the Five Nations of Indians, so called, being the Senekas, Oneidas, and the Stockbridge Indians incorporated with them, Tuscaroras, Cayugas, and Onondagas, to wit:

"The United States, in order to promote the happiness of the Five Nations of Indians, will cause to be expended, annually, the amount of one thousand five hundred dollars, in purchasing for them clothing, domestic animals, and implements of husbandry, and for encouraging useful artificers to reside in their villages.

"In behalf of the United States,

H. KNOX,

(L. S.)

Secretary for the Department of War.

Done in the presence of

Tobias Lear,
Mn. Jonea."

† This sum to be disbursed for the benefit of such of the Six Nations only, as reside within the limits of the United States. See "Note," which follows the 7th article of this treaty.

the Six Nations as reside within the United States. boundaries of the United States: for the United States do not interfere with nations, tribes, or families, of Indians, elsewhere resident.

In witness whereof, the said Timothy Pickering, and the sachems and war chiefs of the said Six Nations, have hereto set their hands and seals.

Done at Konondaigua, in the state of New-York, the eleventh day of November, in the year one thousand seven hundred and ninety-four.

Timothy Pickering,	l. s.
Onoyeahnee, his x mark,	l. s.
Wonneatortecoooh, his x mark, or Handsome Lake,	l. s.
Tokenhyouhau, his x mark, alias Captain Key,	l. s.
Oneshauce, his x mark,	l. s.
Hendrick Aupaumut,	l. s.
David Neesoonhuk, his x mark,	l. s.
Kanatsoyh, alias Nicholas Kusik,	l. s.
Sohhotecooquent, his x mark,	l. s.
Ooduhtsait, his x mark,	l. s.
Konoohqung, his x mark,	l. s.
Tossonggaulolus, his x mark,	l. s.
John Skenendos, his x mark,	l. s.
Oneatorlecoooh, his x mark,	l. s.
Kussauwatau, his x mark,	l. s.
Eyootenyootauook, his x mark,	l. s.
Kohnyeaugung, his x mark, alias Jake Stroud,	l. s.
Shaguica, his x mark,	l. s.
Teeroos, his x mark, alias captain Prantup,	l. s.
Sooshacowau, his x mark,	l. s.
Henry Young Brant, his x mark,	l. s.
Sonhyoowauna, his x mark, or Big Sky,	l. s.
Onashbah, his x mark,	l. s.
Hotoshahenh, his x mark,	l. s.
Kaukondanaiya, his x mark,	l. s.
Nondiyauka, his x mark,	l. s.
Koasishtowau, his x mark,	l. s.
Oojaugenta, his x mark, or Fish Carrier,	l. s.
Toheonggo, his x mark,	l. s.
Ootaguasso, his x mark,	l. s.
Joonondauwaonch, his x mark,	l. s.
Kiyauhaonh, his x mark,	l. s.
Ootaujeaugenh, his x mark, or Broken Axe,	l. s.
Tauhoondos, his x mark, or Open the Way,	l. s.
Twaukewasha, his x mark,	l. s.
Sequidongquee, his x mark, alias Little Beard,	l. s.
Kodjeote, his x mark, or Half Town,	l. s.
Kenjauaugus, his x mark, or Stinking Fish,	l. s.
Soonohquaukau, his x mark,	l. s.
Twenniyana, his x mark,	l. s.
Jishkaaga, his x mark, or Green Grasshopper, alias Little Billy,	l. s.
Tuggehshotta, his x mark,	l. s.
Tehongyagauna, his x mark,	l. s.
Tehongyoowush, his x mark,	l. s.
Konneyoowesot, his x mark,	l. s.
Tioohquottakauna, his x mark, or Woods on Fire,	l. s.
Taoundaudeeah, his x mark,	l. s.
Honayawua, his x mark, alias Farmer's Brother,	l. s.
Soggooyawauthau, his x mark, alias Red Jacket,	l. s.
Konyootiayoo, his x mark,	l. s.

Sauhtakaongyees, his x mark, or Two Skies of a length,	l. s.
Ounnashattakau, his x mark,	l. s.
Kaungyanehquee, his x mark,	l. s.
Sooayooowau, his x mark,	l. s.
Kaujegaonh, his x mark, or Heap of Dogs,	l. s.
Snonoohshoowau, his x mark,	l. s.
Thaoowaunias, his x mark,	l. s.
Soonongjoowau, his x mark,	l. s.
Kiantwhauka, his x mark, alias Cornplanter,	l. s.
Kaunchshonggoo, his x mark,	l. s.

Witnesses.

Israel Chapin,
 William Shepard, jr.
 James Smedley,
 John Wickham,
 Augustus Porter,
 James K. Garnsey,
 William Ewing,
 Israel Chapin, jr.
 Horatio Jones,
 Joseph Smith,
 Jasper Parish,
 Henry Abeele.

Interpreters.

No. 4. Contracts between the state of New York and different tribes of the Six Nations of Indians, specifying their several occasions and reservations of land, &c.

Contracts between New York and the Six Nations.

On the 19th of April, 1793, George Clinton, governor of New York, transmitted to Thomas Jefferson, secretary of state of the United States, an exemplification of the different treaties entered into by that commonwealth with the Indians of the Six Nations, subsequent to the conclusion of the war of the American revolution. In his letter to Mr. Jefferson, governor Clinton says, "I had written to the clerk of the city of Albany, and did not receive his answer until yesterday: He informs, as I suspected; that the superintendent of Indian affairs under the British government, was, at the commencement of the revolution, possessed of all the records and documents respecting Indian affairs, and took them with him when he left the country."

Letter from George Clinton to Thomas Jefferson.

The British superintendent took off the records of Indian affairs.

The exemplification, thus transmitted, contains a transcript from the record book of Indian deeds, remaining in the office of the secretary of the state of New York, and commencing in the year 1748. This transcript embraces,

1. A deed, executed by the sachems and chief warriors of the Oneida and Tuscarora nations, at a treaty held at fort Herkimer with George Clinton and other commissioners for Indian affairs for the state of New York, whereby the aforesaid sachems and chief warriors conveyed, on the 28th day of June, 1785, for the consideration of \$11,500, in goods and money, "all that tract of land situate on the west side of the line commonly called the line of property, established at a treaty held at fort

Deed from the Oneidas and Tuscaroras, at a treaty held at fort Herkimer, on the 28th June, 1785.

Stanwix in 1768, and on the north side of the Pennsylvania line, beginning at the mouth of the Unadilla, or Tianaderha river, where the same empties into the Susquehanna river; thence up the said Unadilla, or Tianaderha river, ten miles measured on a strait line, thence due west to the Chenango river, thence southerly down the said Chenango river to where it empties into the said Susquehanna river, and to the said line, called the line of property, thence along the said line to the place of beginning; so as to comprehend all the land belonging to the Oneida and Tuscarora nations lying south of the said line to be run from the said Unadilla, or Tianaderha river, to the Chenango river, and north of the division line between the state of New York and the state of Pennsylvania; together, with all ways, waters, water courses, rivers, rivulets, creeks, and streams, of water, and also all mines and minerals, which are or may be found thereon," &c.

Contracts with the Onondagas, at a treaty held at fort Schuyler, on the 12th of September, 1788.

2. A contract, executed by the tribe or nation of Indians called the Onondagas, at a treaty held at fort Schuyler, (formerly called fort Stanwix,) with George Clinton and William Floyd, Ezra L'Hommedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Ganesvoort, jr. commissioners on behalf of the people of the state of New York, whereby the aforesaid Onondagas stipulated, on the 12th day of September, 1788, as follows: "*First*: the Onondagas do cede and grant all their lands to the people of the state of New York forever. *Secondly*: the Onondagas shall, of the said ceded lands, hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of to others, all that tract of land beginning at the southerly end of the Salt Lake, at the place where the river or stream on which the Onondagas now have their village, empties into the said lake, and runs from the said place of beginning east three miles, thence southerly according to the general course of the said river, until it shall intersect a line running east and west at the distance of three miles south from the said village, thence from the said point of intersection west nine miles, thence northerly parallel to the second course above mentioned, until an east line will strike the place of beginning, and thence east to the said place of beginning: *Thirdly*: the Onondagas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same. *Fourthly*: the Salt Lake, and the lands for one mile round the same, shall forever remain for the common benefit of the people of the state of New York, and of the Onondagas and their posterity, for the purpose of making salt, and shall not be granted, or in any wise disposed of for other purposes. *Fifthly*: in consideration of the said cession and grant, the people of the state of New York do, at this treaty,

pay to the Onondagas, one thousand French crowns in money, and two hundred pounds in clothing, at the price which the same cost the people of the state of New York. And the people of the state of New York shall annually pay to the Onondagas and their posterity, forever, on the first day of June, in every year, at fort Schuyler, five hundred dollars in silver; but if the Onondagas, or their posterity, shall, at any time hereafter, elect, that the whole or any part of the said five hundred dollars shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said state for the time being, then, so much of the annual payment shall, for that time, be in clothing or provisions, as the Onondagas or their posterity shall elect, and at the price which the same shall cost the people of the state of New York, at fort Schuyler aforesaid. *Sixthly*: the people of the state of New York may, in such manner as they shall deem proper, prevent any persons, except the Onondagas, from residing or settling on the lands so to be held by the Onondagas and their posterity, for their own use and cultivation; and if any person shall, without the consent of the people of the state of New York, come to reside or settle on the said lands, or on any other of the lands so ceded, as aforesaid, the Onondagas and their posterity shall forthwith give notice of such intrusions to the governor of the said state for the time being; and further, the Onondagas and their posterity forever, shall, at the request of the governor of the said state, be aiding to the people of the state of New York in removing all such intruders, and in apprehending, not only such intruders, but also felons and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice."

3. A contract, executed at a treaty held at fort Schuyler, (formerly fort Stanwix,) by the Oneida tribe or nation of Indians, on the 22d of September, 1788, with George Clinton, William Floyd, Ezra L'Hommedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort, junior, commissioners on behalf of the state of New York, by which the Oneidas entered into the following stipulations: "First: The Oneidas do cede and grant all their lands to the people of the state of New York, forever. *Secondly*: of the said ceded lands, the following tract to wit: beginning at the Wood creek opposite to the mouth of the Canada creek, and where the line of property comes to the said Wood creek, and runs thence southerly to the northwest corner of the tract to be granted to John Francis Perache, thence along the westerly bounds of the said tract to the southwest corner thereof, thence to the northwest corner of the tract granted to James Dean, thence along the westerly bounds thereof to the southwest corner of the last mentioned tract, thence due south until it intersects a due west line from

Contract with the Oneidas at a treaty held at fort Schuyler, on the 22d of September, 1788.

Contract with
the Oneidas,
at a treaty
held at fort
Schuyler, on
the 22d of
September,
1788.

the head of the Tianaderha or Unadilla river, thence from the said point of intersection due west until the Deep Spring bears due north, thence due north to the Deep Spring, thence the nearest course to the Canaseraga creek, and thence along the said creek, the Oneida lake and the Wood creek, to the place of beginning, shall be reserved for the following several uses ; that is to say : the lands lying to the northward of a line parallel to the southern line of the said reserved lands, and four miles distant from the said southern line, the Oneidas shall hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of, to others. The Oneidas may, from time to time, forever, make leases of the lands between the said parallel lines, (being the residue of the said reserved lands,) to such persons, and on such rents reserved, as they shall deem proper, but no lease shall be for a longer term than twenty-one years from the making thereof ; and no new lease shall be made until the former lease of the same lands shall have expired. The rents shall be to the use of the Oneidas and their posterity, forever. And the people of the state of New York shall, from time to time, make provision by law to compel the lessees to pay the rents, and in every other respect to enable the Oneidas and their posterity to have the full benefit of their right so to make leases and to prevent frauds on them respecting the same ; and the Oneidas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same ; and, especially, there shall forever remain ungranted by the people of the state of New York, one half mile square, at the distance of every six miles of the lands along the northern bounds of the Oneida lake, one half mile in breadth of the lands on each side of the Fish creek, and a convenient piece of land at the fishing place in the Onondaga river, about three miles from where it issues out of the Oneida lake, and to remain as well for the Oneidas, and their posterity, as for the inhabitants of the said state to land and encamp on : But notwithstanding any reservation to the Oneidas, the people of the state of New York may erect public works and edifices as they shall think proper, at such place and places, at or near the confluence of the Wood creek and the Oneida lake, as they shall elect ; and may take and appropriate for such works or buildings, lands to the extent of one square mile, at each place : and further, notwithstanding any reservations of lands to the Oneidas, for their own use, the New England Indians (now settled at Brotherton, under the pastoral care of the reverend Samson Occum) and their posterity forever, and the Stockbridge Indians and their posterity forever, are to enjoy their settlements on the lands heretofore given to them by the Oneidas for that purpose ; that is to say : a tract of two miles in breadth and three

miles in length for the New England Indians, and a tract of six miles square for the Stockbridge Indians. *Thirdly*: in consideration of the said cession and grant, the people of the state of New York do, at this treaty, pay to the Oneidas two thousand dollars in money, two thousand dollars in clothing and other goods, and one thousand dollars in provisions; and also five hundred dollars in money, to be applied towards building a grist mill and saw mill, at their village: and the people of the state of New York shall annually pay to the Oneidas, and their posterity, forever, on the first day of June, in every year, at fort Schuyler, six hundred dollars in silver: but if the Oneidas, or their posterity, shall, at any time hereafter, elect that the whole, or any part, of the said six hundred dollars, shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said state for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Oneidas and their posterity shall elect, and at the price which the same shall cost the people of the state of New York at fort Schuyler. And as a further consideration to the Oneidas, the people of the state of New York shall grant to the said John Francis Perache, a tract of land, beginning in the line of property, at a certain cedar tree, near the road leading to Oneida, and runs from the said cedar tree, southerly, along the line of property, two miles: then westerly, at right angles, to the said line of property, two miles; then northerly, at right angles, to the last course, two miles, and then to the place of beginning; which the said John Francis Perache hath consented to accept from the Oneidas, in satisfaction for an injury done to him by one of their nation. And further, the lands intended by the Oneidas for John T. Kirkland, and for George W. Kirkland, being now appropriated to the use of the Oneidas, the people of the state of New-York shall, therefore, by a grant of other lands, make compensation to the said John T. Kirkland and George W. Kirkland. And further, that the people of the state of New-York shall, as a benevolence from the Oneidas to Peter Penet, and in return for services rendered by him to their nation, grant to the said Peter Penet, of the said ceded lands lying to the northward of the Oneida lake, a tract of ten miles square, wherever he shall elect the same. *Fourthly*: the people of the state of New-York may, in such manner as they shall deem proper, prevent any persons, except the Oneidas, from residing or settling on the lands so to be held by the Oneidas and their posterity, for their own use and cultivation. And if any person shall, without the consent of the people of the state of New-York, come to reside or settle on the said lands, or on any other of the lands so ceded as aforesaid, except the lands whereof the Oneidas may make leases as aforesaid, the Oneidas and their posterity shall forthwith give notice of such intrusions to the governor of

Contract with the Oneidas, at a treaty held at fort Schuyler, on the 22d of September, 1788.

the said state for the time being. And further, the Oneidas and their posterity, forever, shall, at the request of the governor of the said state, be aiding to the people of the state of New-York, in removing all such intruders; and in apprehending, not only such intruders, but also felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Before the execution hereof, the Oneidas, in public council, declared to the commissioners, that they had, in return for his frequent good offices to them, given to John J. Bleecker, of the lands reserved for their own use, one mile square, adjoining to the lands of James Dean, and requested that the same might be granted and confirmed to him by the state."

Contract with
the Cayugas,
at a treaty
held at Alba-
ny, on the
25th of Feb-
ruary, 1789.

4. A contract executed by the sachems, chiefs, and warriors of the tribe or nation of Indians, called the Cayugas, at a treaty held in the city of Albany, with George Clinton, Pierre Van Courtlandt, Ezra L'Hommiedieu, Abraham Ten Broeck, John Hathorn, Samuel Jones, Peter Gansevoort, jun. and Egbert Benson, commissioners on behalf of the state of New-York, by which the said sachems, chiefs, and warriors of the Cayugas, covenanted, on the 25th of February, 1789, as follows: "*First*: the Cayugas do cede and grant all their lands to the people of the state of New-York, forever. *Secondly*: The Cayugas shall, of the said ceded lands, hold to themselves, and to their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened, or disposed of, to others, all that tract of land, beginning at the Cayuga salt spring, on the Seneka river, and running thence southerly, to intersect the middle of a line to be drawn from the outlet of Cayuga to the outlet of Waskongh, and from the said place of intersection, southerly, the general course of the eastern bank of the Cayuga lake, thence westerly, to intersect a line running on the west side of the Cayuga lake, at the mean distance of three miles from the western bank thereof, and from the said point of intersection, along the said line, so running on the west side of the Cayuga lake, to the Seneka river, thence down the said river to the Cayuga lake, thence through the said lake, to the outlet thereof, thence further down the said Seneka river, to the place of beginning, so as to comprehend within the limits aforesaid, and exclusive of the water of Cayuga lake, the quantity of one hundred square miles. Also, the place in the Seneka river, at or near a place called Skayes, where the Cayugas have heretofore taken eel; and a competent piece of land on the southern side of the river, at the said place, sufficient for the Cayugas to land and encamp on, and to cure their eel. Excepted, nevertheless, out of the said lands so reserved, one mile square, at the Cayuga ferry. *Thirdly*: the Cayugas and their posterity, forever, shall enjoy the free right of hunting in

every part of the said ceded lands, and of fishing in all the waters within the same. *Fourthly* : in consideration of the said cession and grant, the people of the state of New-York do, at this present treaty, pay to the Cayugas, five hundred dollars, in silver ; and the people of the state of New-York shall pay to the Cayugas, on the first day of June next, at fort Schuyler, (formerly called fort Stanwix;) the further sum of one thousand six hundred and twenty-five dollars ; and, also, the people of the state of New-York shall annually pay to the Cayugas, and their posterity, forever, on the first day of June, in every year thereafter, at fort Schuyler aforesaid, five hundred dollars in silver. But if the Cayugas, or their posterity, shall, at any time hereafter, elect that the whole, or any part of the said annual payment of five hundred dollars, shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said state for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Cayugas or their posterity shall elect, and at the price which the same shall cost the people of the state of New-York, at fort Schuyler aforesaid. And, as a farther consideration to the Cayugas, the people of the state of New-York shall grant to their adopted child, Peter Ryckman, whom they have expressed a desire should reside near them, to assist them, and as a benevolence from them, the Cayugas, to him, and in return for services rendered by him to their nation, the said tract of one mile square at the Cayuga ferry excepted, out of the said lands reserved to the Cayugas for their own use and cultivation, that of a tract beginning on the west bank of the Seneca lake, thence running due west (passing one chain north of a house lately erected, and now in the occupation of the said Peter Ryckman) to the line of partition between this state of New-York and the commonwealth of Massachusetts, of the lands ceded to each other. thence due south along the said line of partition, thence due east to the Seneca lake, thence northerly along the bank of the said lake, to the place of beginning, so as to contain sixteen thousand acres. The people of the state of New-York shall grant three hundred and twenty acres to a white person married to a daughter of a Cayuga named Thaniowes, including the present settlement of the said person on the south side of Caghson creek ; and that the people of the state of New-York shall grant the residue of the said tract of sixteen thousand acres to the said Peter Ryckman. *Fifthly* : the people of the state of New-York may, at all times hereafter, in such manner, and by such means, as they shall deem proper, prevent any person, except the Cayugas and their adopted brethren the Paanese, from residing or settling on the lands to be held by the Cayugas and their posterity, for their own use and cultivation : and if any persons shall, without the consent of the

Contract with
the Cayugas,
at a treaty
held at Alba-
ny, on the
25th of Feb-
ruary, 1789.

Contract with the Cayugas, at a treaty held at Albany, on the 25th of February, 1789.

people of the state of New-York, come to reside or settle on the said lands, or any other of the lands so ceded as aforesaid, the Cayugas and their posterity shall forthwith give notice of such intrusions to the governor of the said state for the time being; and further, the Cayugas and their posterity, forever, shall, at the request of the governor of the said state, be aiding to the people of the state of New-York in removing all such intruders; and apprehending, not only such intruders, but felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Notwithstanding the said reservation herein above specified to the Cayugas, it is declared to be the intent of the parties, that the Cayuga called the Fish Carrier, shall have a mile square of the said reserved lands, for the separate use of himself, and for the separate use of his family, forever. Before sealing and delivery hereof, it was, for the greater certainty, declared to be the intent of the parties, that this grant and cession is only of the lands eastward of the partition line abovementioned, between this state of New-York and the commonwealth of Massachusetts; and that, with respect to such part of their country as is to the westward of the said partition line, the right and property of the Cayugas to be the same as if this grant and cession had not been made. The Cayuga salt spring, and the land to the extent of one mile around the same, to remain for the common use and benefit of the people of the state of New-York, and of the Cayugas and their posterity forever. And the land to be reserved at the fishing place near Skayes, shall be of the extent of one mile on each side of the river, the above reservation of land on the southern side of the river, only, notwithstanding.

Acknowledgment, confirmation, &c. by the Cayugas, at a treaty held at fort Stanwix, on the 22d of June, 1790.

5. At a treaty held at fort Stanwix, on the 22d of June, 1790, between George Clinton, Pierre Van Courtlandt, Ezra L'Hommiedieu, Abraham Ten Broeck, Peter Gansevoort, junior, and Richard Varick, commissioners on behalf of the state of New-York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians, called the Cayugas, the latter acknowledged to have received from the people of the state of New-York, the sum of five hundred dollars in silver, being the annual payment stipulated to be made to the said Cayugas, by the (next preceding) contract of the 25th of February, 1789; and also the further sum of one thousand dollars, as a benevolence. To this acknowledgment is added the following stipulation: "And we, the said Cayugas, in consideration thereof, do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and cession, and all and singular the articles, covenants, matters and things, therein expressed and contained, on the part of us, the said Cayugas, done, or to be done, executed, or performed: and we, the said Cayugas, do further

hereby grant and release, to the people of the state of New-York, all our right, interest, and claim, in and to all lands lying east of the line of cession by the state of New-York to the commonwealth of Massachusetts; except the lands mentioned in the deed of cession (of the 25th of February, 1789) to be reserved to us, the Cayugas, and our posterity."

6. At a council fire kindled at fort Stanwix, on the 16th day of June, 1790, at which were present, George Clinton, Pierre Van Courtlandt, Ezra L'Hommiedieu, Abraham Ten Broeck, Peter Gansevoort, junior, and Richard Varick, commissioners on behalf of the state of New-York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians called the Onondagas, the latter acknowledged to have received from the people of the state of New-York, the sum of five hundred dollars, in silver, being the annual payment stipulated to be made to the said Onondagas, by the contract of the 12th of September, 1788; and also the further sum of five hundred dollars, as a benevolence: "and the said Onondagas do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and deed of cession, and all and singular the articles, covenants, and things therein expressed and contained, on the part of the said Onondagas, done, or to be done, executed, or performed."

Acknowledgment and confirmation by the Onondagas, at a council fire kindled at fort Stanwix, on the 16th of June, 1790.

No. 5. A treaty between the United States, and the Oneida, Tuscarora, and Stockbridge Indians, dwelling in the country of the Oneidas.

Treaty with the Oneidas, Tuscaroras, and Stockbridge.

Whereas, in the late war between Great-Britain and the United States of America, a body of the Oneida, and Tuscarora, and the Stockbridge Indians, adhered faithfully to the United States, and assisted them with their warriors; and, in consequence of this adherence and assistance, the Oneidas and Tuscaroras, at an unfortunate period of the war, were driven from their homes, and their houses were burnt, and their property destroyed: and as the United States, in the time of their distress, acknowledged their obligations to these faithful friends, and promised to reward them; and the United States being now in a condition to fulfil the promises then made; the following articles are stipulated by the respective parties, for that purpose; and to be in force when ratified by the President and Senate:

Sufferings of the Indians in their adherence to the United States, &c.

The United States fulfil their promises, &c.

Art. 1. The United States will pay the sum of five thousand dollars, to be distributed among individuals of the Oneida and Tuscarora nations, as a compensation for their individual losses and services during the late war between Great-Britain and the United States. The only man of the Kaughnawaugas now remaining in the Oneida country, as well as some few very meritorious persons of the Stockbridge Indians, will be considered in the distribution.

\$5,000 to the Oneidas and Tuscaroras.

A Kaughnawauga and the Stockbridges to be considered, &c.

Grist and saw
mills to be
erected by the
United States,
&c.

Art. 2. For the general accommodation of these Indian nations, residing in the country of the Oneidas, the United States will cause to be erected a complete grist mill and saw mill, in a situation to serve the present principal settlements of these nations. Or if such one convenient situation cannot be found, then the United States will cause to be erected two such grist mills and saw mills, in places where it is now known the proposed accommodation may be effected. Of this the United States will judge.

The United
States to pro-
vide for per-
sons three
years to ma-
nage the
mills, &c.

Art. 3. The United States will provide, during three years after the mills shall be completed, for the expense of employing one or two suitable persons to manage the mills, to keep them in repair, to instruct some young men of the three nations in the arts of the miller and sawyer, and to provide teams and utensils for carrying on the work of the mills.

\$1,000 to
build a church
at Oneida, &c.

Art. 4. The United States will pay one thousand dollars, to be applied in building a convenient church at Oneida, in the place of the one which was there burnt by the enemy, in the late war.

The Indians
satisfied, and
relinquish all
other claims to
compensation;
except, &c.

Art. 5. In consideration of the above stipulations, to be performed on the part of the United States, the Oneida, Tuscarora, and Stockbridge Indians aforementioned, now acknowledge themselves satisfied, and relinquish all other claims of compensation and rewards, for their losses and services in the late war: excepting only, the unsatisfied claims of such men of the said nations as bore commissions under the United States, for any arrears which may be due to them as officers.

In witness whereof, the chiefs of those nations, residing in the country of the Oneidas, and Timothy Pickering, agent for the United States, have hereto set their hands and seals, at Oneida, the second day of December, in the year one thousand seven hundred and ninety-four.

Timothy Pickering,

l. s.

WOLF TRIBE.

Odotsaihte, his x mark, } head sachems of the Oneidas.
Konnoquenyau, his x mark, }
John Skenendo, eldest war chief, his x mark,

l. s.

l. s.

l. s.

TURTLE TRIBE.

Shonohleyo, war chief, his x mark,
Peter Konnauterlook, sachem, his x mark,
Daniel Teouneslees, son of Skenendo, war chief, his x mark,

l. s.

l. s.

l. s.

BEAR TRIBE.

Lodowik Kohsauwetau, his x mark, }
Cornelius Kaubiktoton, his x mark, } war chiefs.
Thos. Osauhataugaunlot, his x mark, }

l. s.

l. s.

l. s.

TUSCARORAS.

Thaulondauwaugon, sachem, his x mark,
Kanatjogh, or Nicholas Cusick, war chief, his x mark,

l. s.

l. s.

Witnesses to the signing and sealing of the agent of the United States, and of the chiefs of the Oneida and Tuscarora nations :

S. Kirkland,
James Dean, *interpreter.*

Witnesses to the signing and sealing of the four chiefs of the Stockbridge Indians, whose names are below :

Saml. Kirkland,
John Sergeant.

STOCKBRIDGE INDIANS.

Hendrick Aupaumut,	l. s.
Joseph Quonney,	l. s.
John Konkapot,	l. s.
Jacob Konkapot,	l. s.

No. 6. At a treaty held at the city of New-York, with the nations or tribes of Contrast be-
Indians, denominating themselves the Seven Nations of Canada ; Abraham tween New-
Ogden, commissioner, appointed under the authority of the United States, York and the
to hold the treaty, Ohnaweio, alias Goodstream, Teharagwanegen, alias Seven Nations
Thomas Williams, two chiefs of the Caghawagas ; Atiatoharongwan, alias made under
colonel Lewis Cook, a chief of the St. Regis Indians, and William Gray, the sanction of
deputies, authorized to represent the Seven Nations or tribes of Indians at the United
the treaty, and Mr. Gray, serving also as interpreter ; Egbert Benson, Rich- States.*
ard Varick, and James Watson, agents for the state of New-York ; William
Constable and Daniel McCormick, purchasers under Alexander Macomb :

The agents for the state having, in the presence and with the approbation of the commissioner, proposed to the deputies for the Indians the compensation hereinafter mentioned, for the extinguishment of their claim to all lands within the state, and the said deputies being willing to accept the same, it is Cession by the Seven Nations, to the state of New-York, of lands within that state. thereupon granted, agreed, and concluded, between the said deputies and the said agents, as follows : the said deputies do, for and in the name of the said Seven Nations or tribes of Indians, cede, release, and quit claim to the people of the state of New-York, forever, all the claim, right, or title of them, the said Seven Nations or tribes of Indians, to lands within the said state : provided nevertheless, that the tract equal to six miles Proviso, as to the tract reserved to Alexander Macomb. square, reserved in the sale made by the commissioners of the land office of the said state, to Alexander Macomb, to be applied to the use of the Indians of the village of St Regis, shall still remain so reserved. The said agents do, for and in the name of the people of the state of New-York, grant to the said

* By act of March 30, 1802, "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," no purchase of lands from Indian tribes or nations is valid in law or equity, unless made by treaty, pursuant to the constitution ; and it is made a misdemeanor in any person, not employed under the authority of the United States, to treat with any Indian nation, or tribe of Indians, for the title or purchase of any lands by them held or claimed, punishable by fine and imprisonment. See the act referred to, among the laws in this volume, following the treaties, sec. 12. See also Constitution of the United States, clause 2, sec. 2, art. 2. Laws U. S. vol. 1. p. 67.

The state of New-York to pay 1,233*l.* 6*s.* 8*d.* and 213*l.* 6*s.* 8*d.* and a like annuity forever.

Proviso, as to the presence of Indian deputies to receive payment, &c.

Reservations for the Indians of the village of St. Regis.

Seven Nations or tribes of Indians; that the people of the state of New-York shall pay to them, at the mouth of the river Chazy, on Lake Champlain, on the third Monday in August next, the sum of one thousand two hundred and thirty-three pounds six shillings and eight-pence, and the further sum of two hundred and thirteen pounds six shillings and eight pence, lawful money of the said state; and on the third Monday in August, yearly, forever thereafter, the like sum of two hundred and thirteen pounds six shillings and eight pence: provided nevertheless, that the people of the state of New-York shall not be held to pay the said sums, unless, in respect to the two sums to be paid on the third Monday in August next, at least twenty, and in respect to the said yearly sum to be paid thereafter, at least five, of the principal men of the said Seven Nations or tribes of Indians, shall attend as deputies to receive and to give receipts for the same: the said deputies having suggested, that the Indians of the village of St. Regis have built a mill on Salmon river, and another on Grass river, and that the meadows on Grass river are necessary to them for hay; in order, therefore, to secure to the Indians of the said village, the use of the said mills and meadows, in case they should hereafter appear not to be included within the above tract so to remain reserved; it is, therefore, also agreed and concluded between the said deputies, the said agents, and the said William Constable and Daniel M'Cormick, for themselves and their associates, purchasers under the said Alexander Macomb, of the adjacent lands, that there shall be reserved, to be applied to the use of the Indians of the said village of St. Regis, in like manner as the said tract is to remain reserved, a tract of one mile square, at each of the said mills, and the meadows on both sides of the said Grass river, from the said mill thereon to its confluence with the river St. Lawrence.

In testimony whereof, the said commissioner, the said deputies, the said agents, and the said William Constable and Daniel M'Cormick, have hereunto, and to two other acts of the same tenor and date, one to remain with the United States, another to remain with the state of New-York, and another to remain with the said Seven Nations or tribes of Indians, set their hands and seals, in the city of New-York, the thirty-first day of May, in the twentieth year of the independence of the United States, one thousand seven hundred and ninety-six.

Abraham Ogden,
Egbert Benson,
Richard Varick,
James Watson,
William Constable,
Daniel M'Cormick,

1. s.
1. s.
1. s.
1. s.
1. s.
1. s.

Ohaweio, alias Goodstream, his x mark,
 Otiatokarongwan, alias col. Lewis Cook, his x mark,
 William Gray,
 Tcharagwanegen, alias Thos. Williams, his x mark,

l. a.

l. a.

l. a.

l. a.

Signed, sealed, and delivered, in the presence of

Samuel Jones, recorder of the city of New-York,

John Tayler, recorder of the city of Albany,

Joseph Ogden Hoffman, attorney general of the state of New-York.

No. 7. Relinquishment to New York, by the Mohawk nation of Indians, under the sanction of the United States of America, of all claim to lands in that state.

Relinquish-
 ment of all
 claim to lands
 in New York
 by the Mo-
 hawks.

At a treaty held under the authority of the United States,* with the Mohawk nation of Indians, residing in the province of Upper Canada, within the dominions of the king of Great Britain, present the honorable Isaac Smith, commissioner appointed by the United States to hold this treaty; Abraham Ten Broeck, Egbert Benson, and Ezra L'Hommedieu, agents for the state of New York; captain Joseph Brandt, and captain John Deserontyon, two of the said Indians and deputies to represent the said nation at this treaty.

[*See note to
 the preceding
 treaty No. 6,
 at the bottom
 of the page.]

The said agents having, in the presence, and with the approbation of the said commissioner, proposed to and adjusted with the said deputies, the compensation as hereinafter mentioned to be made to the said nation, for their claim, to be extinguished by this treaty, to all lands within the said state: it is thereupon finally agreed and done, between the said agents, and the said deputies, as follows, that is to say: the said agents do agree to pay to the said deputies, the sum of one thousand dollars, for the use of the said nation, to be by the said deputies paid over to, and distributed among, the persons and families of the said nation, according to their usages. The sum of five hundred dollars, for the expenses of the said deputies, during the time they have attended this treaty: and the sum of one hundred dollars, for their expenses in returning, and for conveying the said sum of one thousand dollars, to where the said nation resides. And the said agents do accordingly, for and in the name of the people of the state of New York, pay the said three several sums to the said deputies, in the presence of the said commissioner. And the said deputies do agree to cede and release, and these presents witness, that they accordingly do, for and in the name of the said nation, in consideration of the said compensation, cede and release to the people of the state of New York, forever, all the right or title of the said nation to lands within the said state: and the claim of the said nation to lands within the said state, is hereby wholly and finally extinguished.

The agents of
 New York
 pay to the
 Mohawk de-
 puties \$1000
 and their ex-
 penses.

The Mo-
 hawks cede
 all right, title,
 &c. forever.

In testimony whereof, the said commissioner, the said agents, and the said deputies, have hereunto, and to two other acts of the same tenor and date, one to remain with the United States, one to remain with the said state, and one delivered to the said deputies, to remain with the said nation, set their hands and seals, at the city of Albany, in the said state, the twenty-ninth day of March, in the year one thousand seven hundred and ninety-seven.

Witnesses.

Robert Yates,
John Tayler,
Chas. Williamson,
Thomas Morris

Isaac Smith,	l. s.
Abm. Ten Broeck,	l. s.
Egbt. Benson,	l. s.
Exra L'Hommedieu,	l. s.
Jos. Brandt,	l. s.
John Descrofton,	l. s.

The mark of x John Abeel, alias the Cornplanter, a chief of the Senecas.

Contract between Wilhem Willink, and others, and the Senecas.

No. 8. This indenture, made the thirtieth day of June, in the year of our Lord one thousand eight hundred and two, between the sachems, chiefs, and warriors of the Seneka nation of Indians, of the first part, and Wilhem Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink, the younger, I. Willink, the younger, (son of Jan,) Jan Gabriel Van Staphorst, Roelof Van Staphorst, the younger, Cornelis Vollenhoven, and Hendrik Seye, all of the city of Amsterdam and republic of Batavia, by Joseph Ellicott, esquire, their agent and attorney, of the second part.

Reference to the authority of the United States, under whose sanction this contract was made.

[*See note to No. 6, of this chapter; at the bottom of the page.]

Whereas, at a treaty held under the authority of the United States, with the said Seneka nation of Indians, at Buffalo creek, in the county of Ontario and state of New York, on the day of the date of these presents, by the honorable John Tayler, esquire, a commissioner appointed by the president of the United States to hold the same in pursuance of the constitution, and of the act* of the congress of the United States in such case made and provided, a convention was entered into in the presence and with the approbation of the said commissioner, between the said Seneka nation of Indians and the said Wilhem Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink, the younger, I. Willink, the younger, (son of Jan,) Jan Gabriel Van Staphorst, Roelof Van Staphorst, the younger, Cornelis Vollenhoven, and Hendrik Seye, by the said Joseph Ellicott, their agent and attorney, lawfully constituted and appointed for that purpose.

The Senecas exchange, cede, &c. to Wilhem Willink, and others, the lands herein described.

Now this indenture witnesseth, That the said parties of the first part, for and in consideration of the lands hereinafter described, do hereby exchange, cede, and forever quit claim to the said parties of the second part, their heirs and assigns, all those lands situate, lying, and being, in the county of Ontario and state of New York, being part of the lands described and reserved by the said parties of the first part, in a treaty or convention held by the honorable Jeremiah Wadsworth, esquire, under the authority of the United States, on the Genesee river,

the 15th day of September, one thousand seven hundred and ninety-seven,* in the words following, viz.

"Beginning at the mouth of the Eighteen mile or Koghquawgu creek, thence a line or lines to be drawn parallel to lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos creek, thence a line or lines extending twelve miles up the north side of said creek, at the distance of one mile therefrom, thence a direct line to the said creek, thence down the said creek to lake Erie, thence along the lake to the first mentioned creek, and thence to the place of beginning. Also, one other piece at Cataraugos, beginning at the shore of lake Erie, on the south side of Cataraugos creek, at the distance of one mile from the mouth thereof, thence running one mile from the lake, thence, on a line parallel thereto, to a point within one mile from the Conondauweyea creek, thence up the said creek one mile, on a line parallel thereto, thence on a direct line to the said creek, thence down the same to lake Erie, thence along the lake to the place of beginning;" reference being thereunto had will fully appear. Together with all and singular the rights, privileges, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining. And all the estate, right, title, and interest whatsoever, of them, the said parties of the first part, and their nation, of, in, and to the said tracts of land, above described, to have and to hold all and singular the said granted premises, with the appurtenances, to the said parties of the second part, their heirs and assigns, to their only proper use, benefit, and behoof, forever.

And in consideration of the said lands described and ceded as aforesaid, the said parties of the second part, by Joseph Ellicott, their agent and attorney as aforesaid, do hereby exchange, cede, release, and quit claim to the said parties of the first part and their nation, (the said parties of the second part reserving to themselves the right of pre-emption,) all that certain tract or parcel of land, situate as aforesaid. Beginning at a post marked No. O. standing on the bank of lake Erie, at the mouth of Cataraugos creek, and on the north bank thereof: thence along the shore of said lake north 11° east 21 chains; north 13° east 45 chains; north 19° east 14 chains 65 links to a post; thence east 119 chains to a post; thence south 14 chains 27 links to a post; thence east 640 chains to a post, standing in the meridian between the 8th and 9th ranges; thence along said meridian, south 617 chains 75 links to a post standing on the south bank of Cataraugos creek; thence west 160 chains to a post; thence north 290 chains 25 links to a post; thence west 452 chains 31 links to a post; thence north 219 chains 50 links to a post stand-

Lines of the
lands ex-
changed, ce-
ded, &c. by
the Senecas.

Wilhem Wil-
link, and oth-
ers, exchange,
cede, &c. the
lands herein
described, to
the Senecas;
with reserva-
tion of right
of pre-emp-
tion.

* See the "treaty or convention" referred to, annexed to this contract, numbered 9, and entitled "Contract," &c. "between Robert Morris and the Seneca nation of Indians."

ing on the north bank of Cataraugos creek; thence down the same and along the several meanders thereof to the place of beginning. To hold to the said parties of the first part, in the same manner and by the same tenure, as the lands reserved by the said parties of the first part in and by the said treaty or convention, entered into on Genesee river, the 15th day of September, one thousand seven hundred and ninety-seven, as aforesaid, were intended to be held.

In testimony whereof, the parties to these presents have hereunto, and to two other indentures of the same tenor and date, one to remain with the United States, one to remain with the said parties of the first part, and one other to remain with the said parties of the second part, interchangeably set their hands and seals the day and year first above written.

Conneatiu, his x mark,	l. s.
Koeentwahka, or Corn Planter, his x mark,	l. s.
Wondongooohka, his x mark,	l. s.
Tekonnondu, his x mark,	l. s.
Tekiindau, his x mark,	l. s.
Sagooyea, his x mark,	l. s.
Towyocauna, or Blue Sky, his x mark,	l. s.
Koyingquautah, or Young King, his x mark,	l. s.
Kaundoowand, or Pollard, his x mark,	l. s.
Connawaudeau, his x mark,	l. s.
Soonoyou, his x mark,	l. s.
Auwennausa, his x mark,	i. s.
Soogooyawautau, or Red Jacket, his x mark,	l. s.
Coshkoutough, his x mark,	l. s.
Teyokaihossa, his x mark,	l. s.
Onayawos, or Farmer's Brother, his x mark,	l. s.
Sonaugoies, his x mark,	l. s.
Gishkaka, or Little Billy, his x mark,	l. s.
Sussaoowau, his x mark,	l. s.
Wilhem Willink,	
Pieter Van Eeghen,	
Hendrik Vollenhoven,	
W. Willink, the younger,	
I. Willink, the younger, (son of Jan,)	
Jan Gabriel Van Staphorst,	
Roelof Van Staphorst, the younger,	
Cornelis Vollenhoven, and	
Hendrik Seye, by their attorney,	
Joseph Ellicott,	l. s.

Sealed and delivered in the presence of

John Thomson,
Israel Chapin,
James W. Stevens,
Horatio Jones, } *interpreters.*
Jaspar Parrish, }

Done at a full and general treaty of the Seneka nation of Indians, held at Buffalo creek, in the county of Ontario, and state of New York, on the thirtieth day of June, in the year of our Lord one thousand eight hundred and two, under the authority of the United States.

In testimony whereof, I have hereunto set my hand and seal the day and year aforesaid.

JOHN TAYLER, [l. s.]

No. 9. Contract entered into under the sanction of the United States of America, between Robert Morris and the Seneka nation of Indians. Contract between Robert Morris and the Senekas.

This indenture, made the fifteenth day of September, in the year of our Lord one thousand seven hundred and ninety-seven, between the sachems, chiefs, and warriors of the Seneka nation of Indians, of the first part, and Robert Morris, of the city of Philadelphia, esquire, of the second part.

Whereas the commonwealth of Massachusetts have granted, bargained, and sold unto the said Robert Morris, his heirs and assigns, forever, the pre-emptive right, and all other the right, title, and interest, which the said commonwealth had to all that tract of land hereinafter particularly mentioned, being part of a tract of land lying within the state of New York, the right of pre-emption of the soil whereof, from the native Indians, was ceded and granted by the said state of New York, to the said commonwealth: and whereas, at a treaty held under the authority of the United States, with the said Seneka nation of Indians, at Genesee, in the county of Ontario, and state of New York, on the day of the date of these presents, and on sundry days immediately prior thereto, by the honorable Jeremiah Wadsworth, esquire, a commissioner appointed by the president of the United States to hold the same, in pursuance of the constitution, and of the act* of the congress of the United States, in such case made and provided, it was agreed, in the presence and with the approbation of the said commissioner, by the sachems, chiefs, and warriors of the said nation of Indians, for themselves and in behalf of their nation, to sell to the said Robert Morris, and to his heirs and assigns, forever, all their right to all that tract of land above recited, and hereinafter particularly specified, for the sum of one hundred thousand dollars, to be by the said Robert Morris vested in the stock of the Bank of the United States, and held in the name of the president of the United States, for the use and behoof of the said nation of Indians, the said agreement and sale being also made in the presence, and with the approbation of the honorable William Shepard, esquire, the superintendent appointed for such purpose, in pursuance of a resolve of the general court of the commonwealth of Massachusetts, passed the eleventh day of March, in the year of our Lord one thousand seven hundred and ninety-one: now this indenture witnesseth, that the said parties, of the first part, for and in consideration of the premises above recited, and for divers other good and valuable considerations them thereunto moving, have granted, bargained, sold, aliened, released, enfeoffed, and confirmed; and by these presents do grant, bargain, sell, alien, release, enfeoff, and confirm, unto the said party of the second part, his heirs and assigns, forever, all that certain tract of land, except as is hereinafter excepted, lying within the county of Ontario, and state of New York, being part

(*See note to No. 6 of this chapter at the bottom of the page.)

Robert Morris to vest \$100,000 in bank stock for the use of the Senekas, &c.

Boundary of
the lands sold
to Robert
Morris.

Reservations
to the Senec-
kas.

of a tract of land, the right of pre-emption whereof was ceded by the state of New York to the commonwealth of Massachusetts, by deed of cession executed at Hartford, on the sixteenth day of December, in the year of our Lord one thousand seven hundred and eighty-six, being all such part thereof as is not included in the Indian purchase made by Oliver Phelps and Nathaniel Gorham, and bounded as follows, to wit: easterly, by the land confirmed to Oliver Phelps and Nathaniel Gorham by the legislature of the commonwealth of Massachusetts, by an act passed the twenty-first day of November, in the year of our Lord one thousand seven hundred and eighty-eight; southerly, by the north boundary line of the state of Pennsylvania; westerly, partly by a tract of land, part of the land ceded by the state of Massachusetts to the United States, and by them sold to Pennsylvania, being a right angled triangle, whose hypotenuse is in or along the shore of lake Erie; partly by lake Erie, from the northern point of that triangle to the southern bounds of a tract of land one mile in width, lying on and along the east side of the strait of Niagara, and partly by the said tract to lake Ontario; and on the north by the boundary line between the United States and the king of Great Britain; excepting nevertheless, and always reserving out of this grant and conveyance, all such pieces or parcels of the aforesaid tract, and such privileges thereunto belonging, as are next hereinafter particularly mentioned, which said pieces or parcels of land so excepted, are, by the parties to these presents, clearly and fully understood to remain the property of the said parties of the first part, in as full and ample manner as if these presents had not been executed: that is to say, excepting and reserving to them, the said parties of the first part, and their nation, one piece or parcel of the aforesaid tract, at Canawagus, of two square miles, to be laid out in such manner as to include the village, extending in breadth one mile along the river; one other piece or parcel at Big Tree, of two square miles, to be laid out in such manner as to include the village, extending in breadth along the river one mile; one other piece or parcel of two square miles at Little Beard's town, extending one mile along the river, to be laid off in such manner as to include the village; one other tract of two square miles, at Squawky Hill, to be laid off as follows, to wit: one square mile to be laid off along the river, in such manner as to include the village, the other directly west thereof and contiguous thereto; one other piece or parcel at Gardeau,* beginning at the mouth of Steep Hill creek, thence due east until it strikes the old path, thence south until a due west line will intersect with certain steep rocks on the west side of Genesee river, then extending due west, due north, and due east, until it strikes the

* This reservation was sold by the Senekas, September 3, 1823, to John Greig and Henry B. Gibson. See post. No. 11, of this chapter.

first mentioned bound, enclosing as much land on the west side as on the east side of the river. One other piece or parcel at Kaounadeau, extending in length eight miles along the river and two miles in breadth. One other piece or parcel at Cataraugos, beginning at the mouth of the Eighteen mile or Koghquaugu creek, thence a line or lines to be drawn parallel to lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos creek, thence a line or lines extending twelve miles up the north side of said creek at the distance of one mile therefrom, thence a direct line to the said creek, thence down the said creek to lake Erie, thence along the lake to the first mentioned creek, and thence to the place of beginning. Also, one other piece at Cataraugos, beginning at the shore of lake Erie, on the south side of Cataraugos creek, at the distance of one mile from the mouth thereof, thence running one mile from the lake, thence on a line parallel thereto to a point within one mile from the Connondauweyea creek, thence up the said creek one mile, on a line parallel thereto, thence on a direct line to the said creek, thence down the same to lake Erie, thence along the lake to the place of beginning. Also one other piece or parcel of forty-two square miles, at or near the Allegenny river. Also, two hundred square miles, to be laid off partly at the Buffalo and partly at the Tannawanta creeks. Also excepting and reserving to them, the said parties of the first part and their heirs, the privilege of fishing and hunting on the said tract of land hereby intended to be conveyed. And it is hereby understood by and between the parties to these presents, that all such pieces or parcels of land as are hereby reserved, and are not particularly described as to the manner in which the same are to be laid off, shall be laid off in such manner as shall be determined by the sachems and chiefs residing at or near the respective villages where such reservations are made, a particular note whereof to be endorsed on the back of this deed, and recorded therewith, together with all and singular the rights, privileges, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining. And all the estate, right, title, and interest whatsoever, of them the said parties of the first part and their nation, of, in, and to the said tract of land above described, except as is above excepted, to have and to hold all and singular the said granted premises, with the appurtenances, to the said party of the second part, his heirs and assigns, to his and their proper use, benefit, and behoof forever.

(†This is a tract exchanged, ceded, &c. to Wilhem Willink, and others, by the preceding contract, No. 8, to which this is annexed.)

(‡And this is another tract so exchanged, &c. by the preceding contract, &c.)

In witness whereof, the parties to these presents have hereunto interchangeably set their hands and seals, the day and year first above written.

Robert Morris, by his attorney, Thomas Morris,
Koyengquahtah, als. Young King, his x mark,

l. s.
l. s.

Soonookshewan, his x mark,	l. s.
Konutaico, als. Handsome Lake, his x mark,	l. s.
Sattakanguyase, als. Two Skies of a length, his x mark,	l. s.
Onayawos, or Farmer's Brother, his x mark,	l. s.
Soogooyawautau, als. Red Jacket, his x mark,	l. s.
Gishkaka, als. Little Billy, his x mark,	l. s.
Kaoundowana, als. Pollard, his x mark,	l. s.
Ouneshataikau, or Tall Chief, by his agent, Stevenson, his x mark,	l. s.
Teahdowaingqua, als. Thos. Jemison, his x mark,	l. s.
Onnonggaiheko, als. Infant, his x mark,	l. s.
Tekonnondée, his x mark,	l. s.
Oneghtaugooau, his x mark,	l. s.
Connawaudeau, his x mark,	l. s.
Taostaiefi, his x mark,	l. s.
Koecentwahka, or Corn Planter, his x mark,	l. s.
Oosaukaunendauki, als. to Destroy a Town, his x mark,	l. s.
Soocooowa, alias Parrot Nose, his x mark,	l. s.
Toonahookahwa, his x mark,	l. s.
Howwennounew, his x mark,	l. s.
Kounahkaetoue, his x mark,	l. s.
Taouyaukauna, his x mark,	l. s.
Woudougooohkta, his x mark,	l. s.
Sonauhquaukau, his x mark,	l. s.
Twaunuiyana, his x mark,	l. s.
Takaunoudea, his x mark,	l. s.
Shequinedaughque, or Little Beard, his x mark,	l. s.
Jowaa, his x mark,	l. s.
Saunajee, his x mark,	l. s.
Tauoiyuquatakausea, his x mark,	l. s.
Taoundandish, his x mark,	l. s.
Tooaquinda, his x mark,	l. s.
Ahtaou, his x mark,	l. s.
Taukooshoondakoo, his x mark,	l. s.
Kauneskanggo, his x mark,	l. s.
Soononjuwau, his x mark,	l. s.
Tonowauya, or Captain Bullet, his x mark,	l. s.
Jaahkaacyas, his x mark,	l. s.
Taughishautu, his x mark,	l. s.
Sukkenjoonau, his x mark,	l. s.
Ahquatieya, or Hot Bread, his x mark,	l. s.
Suggonundau, his x mark,	l. s.
Taunowaintooh, his x mark,	l. s.
Konnonjoowauna, his x mark,	l. s.
Soogooyandestak, his x mark,	l. s.
Hautwanauekkau, by Young King, his x mark,	l. s.
Sauwejuwau, his x mark,	l. s.
Kaunooohshauwen, his x mark,	l. s.
Taukonondaugekta, his x mark,	l. s.
Kaouyanoughque, or John Jemison, his x mark,	l. s.
Hoiegush, his x mark,	l. s.
Taknaahquau, his x mark,	l. s.

Sealed and delivered in presence of

Nat. W. Howell,
Joseph Ellicott,
Israel Chapin,
James Rees,
Henry Aaron Hills,
Henry Abeel,
Jaspar Parrish,
Horatio Jones, } *interpreters.*

Done at a full and general treaty of the Seneka nation of Indians, held at Genesee, in the county of Ontario, and state of New York, on the fifteenth day of September, in the year of our Lord one thousand seven hundred and ninety-seven, under the authority of the United States.

In testimony whereof, I have hereunto set my hand and seal, the day and year aforesaid.

JERE. WADSWORTH, [L. s.]

Pursuant to a resolution of the legislature of the commonwealth of Massachusetts, passed the eleventh day of March, in the year of our Lord, one thousand seven hundred and ninety-one, I have attended a full and general treaty of the Seneka nation of Indians, at Genesee, in the county of Ontario, when the within instrument was duly executed in my presence by the sachems, chiefs, and warriors of the said nation, being fairly and properly understood and transacted by all the parties of Indians concerned, and declared to be done to their universal satisfaction: I do therefore certify and approve of the same.

WILLIAM SHEPARD.

Subscribed in presence of

NAT. W. HOWELL.

No. 10 At a treaty held under the authority of the United States, at Buffalo Contract be-
creek, in the county of Ontario, and state of New York, between the tween Oliver
sachems, chiefs, and warriors of the Seneka nation of Indians, on behalf of Phelps, and
said nation, and Oliver Phelps, esquire, of the county of Ontario, Isaac Bron- others, and
son, esquire, of the city of New York, and Horatio Jones, of the said coun- the Senekas.
ty of Ontario, in the presence of John Tayler, esquire, commissioner ap-
pointed by the president of the United States for holding said treaty.

Know all men by these presents, that the said sachems, chiefs, Oliver Phelps,
and warriors, for and in consideration of the sum of twelve hun- Isaac Bron-
dred dollars, lawful money of the United States, unto them in son, and Ho-
hand paid by the said Oliver Phelps, Isaac Bronson, and Hora- ratio Jones,
tio Jones, at or immediately before the sealing and delivery pay \$1,200
hereof, the receipt whereof is hereby acknowledged, have and by to the Sene-
these presents do grant, remise, release, and forever quit claim ka.
and confirm unto the said Oliver Phelps, Isaac Bronson, and Ho-
ratio Jones, and to their heirs and assigns, all that tract of land
commonly called and known by the name of Little Beard's re-
servation, situate, lying, and being, in the said county of Ontario, Description of
bounded on the east by the Genesee river and Little Beard's a tract of land
creek, on the south and west by other lands of the said parties granted and
of the second part, and on the north by Big Tree reservation,* confirmed to
containing two square miles, or twelve hundred and eighty acres, Oliver Phelps,
together with all and singular the hereditaments and appurten- Isaac Bron-
ances whatsoever thereunto belonging, or in anywise appertaining, son, and Ho-
ratio Jones.
(* See preced-
ing contract, No. 9.)

to hold to them the said Oliver Phelps, Isaac Bronson, and Horatio Jones, their heirs and assigns, to the only proper use and behoof of them the said Oliver Phelps, Isaac Bronson, and Horatio Jones, their heirs and assigns forever.

In testimony whereof, the said commissioner and the said parties have hereunto, and to two other instruments of the same tenor and date, one to remain with the United States, one to remain with the Seneka nation of Indians, and one to remain with the said Oliver Phelps, Isaac Bronson, and Horatio Jones, interchangeably set their hands and seals. Dated the 30th day of June, in the year of our Lord one thousand eight hundred and two.

Conneatiu, his x mark,	l. s.
Koecentwahka, or Corn Planter, his x mark,	l. s.
Wondongoohtka, his x mark,	l. s.
Tekonnondu, his x mark,	l. s.
Tekiaindau, his x mark,	l. s.
Sagoeyes, his x mark,	l. s.
Touyocauna, or Blue Sky, his x mark,	l. s.
Koyingquautah, or Young King, his x mark,	l. s.
Soogooyawautau, or Red Jacket, his x mark,	l. s.
Onayawos, or Farmer's Brother, his x mark,	l. s.
Kaoundoowand, or Pollard, his x mark,	l. s.
Auwemmausa, his x mark,	l. s.

Sealed and delivered in the presence of

John Thomson,
James W. Stevens,
Israel Chapin,
Jasper Parrish, *interpreter*.

Contract between the Seneka nation, and John Greig and H. B. Gibson.

[*See note to No. 6, of this chapter, at the bottom of the page.]

John Greig, and Henry B. Gibson, pay \$4286 to the Senekas.

No. 11. At a treaty, held under the authority of the United States* at Vescow, in the county of Livingston, in the state of New-York, between the sachems, chiefs, and warriors of the Seneka nation of Indians in behalf of said nation, and John Greig and Henry B. Gibson of Canandaigua in the county of Ontario; in the presence of Charles Carroll, esquire, commissioner appointed by the United States for holding said treaty, and of Nathaniel Gorham, esquire, superintendent, in behalf of the state of Massachusetts.

Know all men by these presents, that the said sachems, chiefs, and warriors, for and in consideration of the sum of four thousand two hundred and eighty-six dollars, lawful money of the United States, to them in hand paid by the said John Greig and Henry B. Gibson, at or immediately before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released, quit claimed and confirmed unto the said John Greig and Henry B. Gibson, and by these presents do grant, bargain, sell, alien, release, quit claim, and confirm, unto the said John Greig and Henry B. Gibson, their heirs and assigns, forever, all that tract, piece or parcel of land commonly called and known by the name

of the Gardeau reservation,* situate, lying and being in the counties of Livingston and Genesee, in the state of New-York, bounded as follows, that is to say: beginning at the mouth of Steep Hill creek, thence due east, until it strikes the Old Path, thence south until a due west line will intersect with certain steep rocks on the west side of Genesee river, thence extending due west, due north, and due east, until it strikes the first mentioned bound, enclosing as much land on the west side as on the east side of the river, and containing according to the survey and measurement made of the same by Augustus Porter, surveyor, seventeen thousand nine hundred and twenty-seven 187-160 acres, be the same more or less: excepting nevertheless, and always reserving out of this grant and conveyance, twelve hundred and eighty acres of land, bounded as follows, that is to say: on the east by Genesee river, on the south by a line running due west from the centre of the Big Slide so called, on the north by a line parallel to the south line and two miles distant therefrom, and on the west by a line running due north and south, and at such a distance from the river as to include the said quantity of twelve hundred and eighty acres and no more; which said twelve hundred and eighty acres are fully and clearly understood, to remain the property of the said parties of the first part, and their nation, in as full and ample a manner, as if these presents had not been executed: together with all and singular the rights, privileges, hereditaments, and appurtenances, to the said hereby granted premises belonging or in anywise appertaining, and all the estate, right, title, and interest, whatsoever, of them the said parties of the first part, and of their nation, of, in, and to, the said tract of land above described, except as is above excepted. To have and to hold all and singular the above granted premises with the appurtenances, unto the said John Greig and Henry B. Gibson, their heirs and assigns, to the sole and only proper use, benefit, and behoof, of the said John Greig and Henry B. Gibson, their heirs and assigns forever.

[*See ante, No. 9, of this chapter.]

Boundary of the land sold to John Greig and Henry B. Gibson.

Reservation to the Senecas.

In testimony whereof, the parties to these presents have hereunto, and to three other instruments of the same tenor, and date, one to remain with the United States, one to remain with the state of Massachusetts, one to remain with the Seneca nation of Indians, and one to remain with the said John Greig and Henry B. Gibson, interchangeably set their hands and seals, the third day of September, in the year of our Lord one thousand eight hundred and twenty-three.

Saquingartuchta, or Young King, his x mark,	l. s.
Karlundawana, or Pollard, his x mark,	l. s.
Sagouata, or Red Jacket, his x mark,	l. s.
Tishkaga, or Little Billy, his x mark,	l. s.
Tywaneash, or Black Snake, his x mark,	l. s.

Kahaketa, or Strong, his x mark,	1 s.
Chequinduchque, or Little Beard, his x mark,	1 s.
Tuyongo, or Seneka White, his x mark,	1 s.
Onondaki, or Destroy Town, his x mark,	1 s.
Lunuchshewa, or War Chief, his x mark,	1 s.
Genuchackada, or Stevenson, his x mark,	1 s.
Mary Jamieson, her x mark,	1 s.
Talwinaha, or Little Johnson, his x mark,	1 s.
Atachagu, or John Big Tree, his x mark,	1 s.
Teakay, or John Pierce, his x mark,	1 s.
Teaslaegge, or Charles Cornplanter, his x mark,	1 s.
Teoncukaweh, or Bob Stevens, his x mark,	1 s.
Checanadughtwo, or Little Beard, his x mark,	1 s.
Canada, his x mark,	1 s.

Sealed and delivered in the presence of

Nat. W. Howell,
Ch. Carroll,
Jasper Parrish,
Horatio Jones.

Done at a treaty held with the sachems, chiefs, and warriors of the Seneka nation of Indians at Moscow, in the county of Livingston and state of New-York, on the third day of September, one thousand eight hundred and twenty-three, under the authority of the United States. In testimony whereof, I have hereunto set my hand and seal, the day and year aforesaid, by virtue of a commission issued under the seal of the commonwealth of Massachusetts, bearing date the 31st day of August, A. D. 1815, pursuant to a resolution of the legislature of the said commonwealth, passed the eleventh day of March, one thousand seven hundred and ninety-one.

N. GORHAM, *Superintendent.*

Signed and sealed in presence of

I have attended a treaty of the Seneka nation of Indians held at Moscow in the county of Livingston and state of New-York, on the third day of September, in the year of our Lord one thousand eight hundred and twenty-three, when the within instrument was duly executed in my presence, by the sachems, chiefs, and warriors of the said nation, being fairly and properly understood and transacted by all the parties of Indians concerned, and declared to be done to their full satisfaction. I do therefore certify and approve the same.

CH. CARROLL, *Commissioner.*

Subscribed in presence of

[*Note.* At a treaty held with the Oneidas, at their village, in the state of New-York, on the 1st of June, 1798, Joseph Hopkinson attending as commissioner of the United States, there was purchased from the Oneida nation, for the use of the people of New-York, a part of the lands reserved for the benefit of the said nation, for which there was paid \$500 in-hand, and an annuity allowed of \$700. The treaty was ratified on the 21st of February, 1799.]

CHAPTER III.

*Treaties with different Indian tribes and nations of Indians.**

No. 1. Articles of a treaty concluded at fort McIntosh, the twenty-first day of January, one thousand seven hundred and eighty-five, between the commissioners plenipotentiary of the United States of America, of the one part, the Wyandot, Delaware, Chippewa, and Ottawa nations, of the other.

Treaty with the Wyandots, Delaware, Chippewas, and Ottawas, of 1785.

The commissioners plenipotentiary of the United States in Congress assembled, give peace to the Wyandot, Delaware, Chippewa, and Ottawa nations of Indians, on the following conditions:

The United States gives peace, &c.

Art. 1. Three chiefs, one from among the Wyandot, and two from among the Delaware nations, shall be delivered up to the commissioners of the United States, to be by them retained till all the prisoners, white and black, taken by the said nations, or any of them, shall be restored.

Three hostages for the restoration of prisoners.

Art. 2. The said Indian nations do acknowledge themselves and all their tribes to be under the protection of the United States, and of no other sovereign whatsoever.

The tribes under the protection of the United States.

Art. 3. The boundary line between the United States and the Wyandot and Delaware nations, shall begin at the mouth of the river Cayahoga, and run thence up the said river to the portage between that and the Tuscarawas branch of Muskingum; then down the said branch to the forks at the crossing place above fort Lawrence; then westerly to the portage of the Big Miami, which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French in one thousand seven hundred and fifty-two; then along the said portage to the Great Miami or Ome river, and down the southeast side of the same to its mouth; thence along the south shore of lake Erie, to the mouth of Cayahoga, where it began.

Boundary between the United States and the Wyandots and Delawares.

Art. 4. The United States allot all the lands contained within the said lines to the Wyandot and Delaware nations, to live and to hunt on, and to such of the Ottawa nation as now live thereon; saving and reserving for the establishment of trading posts, six miles square at the mouth of Miami or Ome river, and the same at the portage on that branch of the Big Miami which runs into the Ohio, and the same on the lake of Sandusky where the fort formerly stood, and also two miles square on each side of the lower rapids of Sandusky river, which posts and the lands annexed to them, shall be to the use and under the government of the United States.

Lands allotted to the Indians.

Reservations for trading posts, &c.

Art. 5. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands

Citizens settling on Indian

* To all the treaties of this chapter, there are several tribes parties, some of whom are also, separately, parties to other treaties, for which see note at the end of this chapter.

lands, outlaw-
ed. allotted to the Wyandot and Delaware nations in this treaty, except on the lands reserved to the United States in the preceding article, such person shall forfeit the protection of the United States, and the Indians may punish him as they please.

Title of the
United States
to lands, &c.
acknowledg-
ed, &c. *Art. 6.* The Indians who sign this treaty, as well in behalf of all their tribes as of themselves, do acknowledge the lands east, south, and west, of the lines described in the third article, so far as the said Indians formerly claimed the same, to belong to the United States; and none of their tribes shall presume to settle upon the same, or any part of it.

Post of De-
troit, &c. re-
served. *Art. 7.* The post of Detroit, with a district beginning at the mouth of the river Rosine, on the west end of lake Erie, and running west six miles up the southern bank of the said river, thence northerly and always six miles west of the strait, till it strikes the lake St. Clair, shall be also reserved to the sole use of the United States.

Post at Mich-
ilimackinac,
&c. reserved. *Art. 8.* In the same manner, the post of Michilimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the use of the United States.

Indian rob-
bers and mur-
derers, to be
delivered up,
&c. *Art. 9.* If any Indian or Indians shall commit a robbery or murder on any citizen of the United States, the tribe to which such offenders may belong, shall be bound to deliver them up at the nearest post, to be punished according to the ordinances of the United States.

The United
States to dis-
tribute goods
among the
tribes. *Art. 10.* The commissioners of the United States, in pursu-
ance of the humane and liberal views of Congress, upon this treaty's being signed, will direct goods to be distributed among the different tribes for their use and comfort.

SEPARATE ARTICLE.

Amnesty, for-
mer rank, &c.
for the three
Delaware
chiefs, Henry,
Big Cat, and
White Eyes. It is agreed that the Delaware chiefs, Kelelamand, or colonel Henry, Hengue Pushees, or the Big Cat, Wicocalind, or captain White Eyes, who took up the hatchet for the United States, and their families, shall be received into the Delaware nation, in the same situation and rank as before the war, and enjoy their due portions of the lands given to the Wyandot and Delaware nations in this treaty, as fully as if they had not taken part with America, or as any other person or persons in the said nations.

Go. Clark,	1. s.
Richard Butler,	1. s.
Arthur Lee,	1. s.
Daunghquat, his x mark,	1. s.
Abraham Kuhn, his x mark,	1. s.
Ottawerreri, his x mark,	1. s.
Hobocan, his x mark,	1. s.
Walendightun, his x mark,	1. s.
Talapoxie, his x mark,	1. s.
Wingenum, his x mark,	1. s.
Packelant, his x mark,	1. s.
Gingewanno, his x mark,	1. s.

Wáanoos, his x mark,	l. s.
Konalawasse, his x mark,	l. s.
Shawnaquum, his x mark,	l. s.
Quecookkia, his x mark,	l. s.

Witness:

Saml. J. Atlee,	} <i>P. commissioners,</i>
Fras. Johnston,	
Alex. Campbell,	
Jos. Harmar, <i>lieut. col. com't.</i> ,	
Alex. Lowrey,	
Joseph Nicholas, <i>interpreter,</i>	
I. Bradford,	
George Slaughter,	
Van Swearingen,	
John Boggs,	
G. Evans,	
D. Lockett.	

No. 2. Articles of a treaty made at fort Harmar, between Arthur St. Clair, *Treaty with*
governor of the territory of the United States northwest of the river Ohio, the Wyandots,
and commissioner plenipotentiary of the United States of America, for re- Delaware,
moving all causes of controversy, regulating trade, and settling boundaries, Ottawas,
with the Indian nations in the northern department, of the one part; and Chippewas,
the sachems and warriors of the Wyandot, Delaware, Ottawa, Chippewa, Pattawatimas,
Pattawatima, and Sac nations, on the other part. and Sacs, of
1789.

Art. 1. Whereas the United States in Congress assembled, did, by their commissioners, George Rogers Clark, Richard Butler, and Arthur Lee, esquires, duly appointed for that purpose, at a treaty holden with the Wyandot, Delaware, Ottawa, and Chippewa nations, at fort M'Intosh,* on the twenty-first day of January, in the year of our Lord one thousand seven hundred and eighty-five, conclude a peace with the Wyandots, Delaware, Ottawas, and Chippewas, and take them into their friendship and protection: And whereas, at the said treaty, it was stipulated that all prisoners that had been made by those nations, or either of them, should be delivered up to the United States. And whereas the said nations have now agreed to and with the aforesaid Arthur St. Clair, to renew and confirm all the engagements they had made with the United States of America, at the before mentioned treaty, except so far as are altered by these presents. And there are now in the possession of some individuals of these nations, certain prisoners, who have been taken by others not in peace with the said United States, or in violation of the treaties subsisting between the United States and them; the said nations agree to deliver up all the prisoners now in their hands (by what means soever they may have come into their possession) to the said governor St. Clair, at fort Harmar; or, in his absence, to the officer commanding there, as soon as conveniently may be; and for the true performance of this agreement, they do now agree to deliver into his hands, two persons of the Wyandot nation, to be retained in the hands of the

Reference to
the treaty of
fort M'Intosh.

[*See preceding
treaty, No.
1, of this chap-
ter.]

Renewal of
engagements.

The nations
to deliver up
prisoners.

Two hostages
for delivery of
prisoners.

United States as hostages, until the said prisoners are restored; after which they shall be sent back to their nation.

Art. 2. And whereas, at the before mentioned treaty, it was agreed between the United States and said nations, that a boundary line should be fixed between the lands of those nations and the territory of the United States,* which boundary is as follows, viz: beginning at the mouth of Cayahoga river, and running thence up the said river to the portage between that and the Tuscarawa branch of Muskingum, then down the said branch to the forks at the crossing place above fort Lawrence, thence westerly to the portage on that branch of the Big Miami river which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French in the year of our Lord one thousand seven hundred and fifty-two, then along the said portage to the Great Miami or Omie river, and down the southeast side of the same to its mouth; thence along the southern shore of lake Erie to the mouth of Cayahoga, where it began. And the said Wyandot, Delaware, Ottawa, and Chippewa nations, for and in consideration of the peace then granted to them by the said United States, and the presents they then received, as well as of a quantity of goods to the value of six thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do, by these presents, renew and confirm the said boundary line; to the end that the same may remain as a division line between the lands of the United States of America and the lands of said nations, forever. And the undersigned Indians, do hereby, in their own names, and the names of their respective nations and tribes, their heirs and descendants, for the consideration above mentioned, release, quit claim, relinquish, and cede to the said United States, all the land east, south, and west, of the lines above described, so far as the said Indians formerly claimed the same; for them the said United States to have and to hold the same, in true and absolute propriety, forever.

The boundary established by the treaty of fort M'Intosh;

for peace granted, presents received, and \$6,000 worth of goods now delivered;

renewed and confirmed, &c.

The nations cede all the land, east, south, and west, of the lines described.

Lands for the Indians to live and hunt on; but not to sell, except to the United States.

Individuals of the nations may hunt on the lands ceded.

Art. 3. The United States of America do, by these presents, relinquish and quit claim to the said nations respectively, all the lands lying between the limits above described, for them, the said Indians, to live and hunt upon, and otherwise to occupy as they shall see fit: but the said nations, or either of them, shall not be at liberty to sell or dispose of the same, or any part thereof, to any sovereign power, except the United States; nor to the subjects or citizens of any other sovereign power, nor to the subjects or citizens of the United States.

Art. 4. It is agreed between the said United States and the said nations, that the individuals of said nations shall be at liberty to hunt within the territory ceded to the United States, without hindrance or molestation, so long as they demean them-

* See ante, No. 1, of this chapter, article 3.

selves peaceably, and offer no injury or annoyance to any of the subjects or citizens of the said United States.

Art. 5. It is agreed, that if any Indian or Indians, of the nations before mentioned, shall commit a murder or robbery on any of the citizens of the United States, the nation or tribe to which the offender belongs, on complaint being made, shall deliver up the person or persons complained of, at the nearest post of the United States; to the end that he or they may be tried, and, if found guilty, punished according to the laws established in the territory of the United States northwest of the river Ohio, for the punishment of such offences, if the same shall have been committed within the said territory; or according to the laws of the state where the offence may have been committed, if the same has happened in any of the United States. In like manner, if any subject or citizen of the United States shall commit murder or robbery, on any Indian or Indians of the said nations, upon complaint being made thereof, he or they shall be arrested, tried, and punished agreeable to the laws of the state, or of the territory wherein the offence was committed; that nothing may interrupt the peace and harmony now established between the United States and said nations.

Indian murderers and robbers to be given up for punishment.

Citizens murdering or robbing Indians of the nations, to be punished.

Art. 6. And whereas the practice of stealing horses has prevailed very much, to the great disquiet of the citizens of the United States, and if persisted in, cannot fail to involve both the United States of America and the Indians in endless animosity, it is agreed that it shall be put an entire stop to on both sides; nevertheless, should some individuals, in defiance of this agreement, and of the laws provided against such offences, continue to make depredations of that nature, the person convicted thereof shall be punished with the utmost severity the laws of the respective states, or territory of the United States northwest of the Ohio, where the offence may have been committed, will admit of: and all horses so stolen, either by the Indians from the citizens or subjects of the United States, or by the citizens or subjects of the United States from any of the Indian nations, may be reclaimed, into whose possession soever they may have passed, and, upon due proof, shall be restored; any sales in market overt, notwithstanding. And the civil magistrates in the United States respectively, and in the territory of the United States northwest of the Ohio, shall give all necessary aid and protection to Indians claiming such stolen horses.

Stealing of horses restrained.

Horse thieves to be severely punished.

Stolen horses may be reclaimed, &c.

Civil magistrates to aid recovery of stolen horses.

Art. 7. Trade shall be opened with the said nations, and they do hereby respectively engage to afford protection to the persons and property of such as may be duly licensed to reside among them for the purposes of trade, and to their agents, factors, and servants; but no person shall be permitted to reside at their towns, or at their hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and

Trade with the nations.

Licenses re-

seal of the governor for traders.

Persons intruding without license, to be apprehended, &c.

Names of traders to be reported.

The Indians to give notice of hostile designs, &c.

Indians to prevent the passage of hostile nations, &c.

The United States to notify the Indians of harm intended, &c.

Citizens settling on Indian lands, outlawed.

Renewal of reservations for trading posts.

seal of the governor of the territory of the United States north-west of the Ohio, for the time being, or under the hand and seal of one of his deputies for the management of Indian affairs; to the end that they may not be imposed upon in their traffic. And if any person or persons shall intrude themselves without such license, they promise to apprehend him or them, and to bring them to the said governor, or one of his deputies, for the purpose before mentioned, to be dealt with according to law: and that they may be defended against persons who might attempt to forge such licenses, they further engage to give information to the said governor, or one of his deputies, of the names of all traders residing among them, from time to time, and at least once in every year.

Art. 8. Should any nation of Indians meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before mentioned nations, or either of them, they do hereby engage to give immediate notice thereof to the governor, or, in his absence, to the officer commanding the troops of the United States at the nearest post. And should any nation, with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavor to prevent the same, and in like manner give information of such attempt to the said governor or commanding officer, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States: in like manner, the United States shall give notice to the said Indian nations, of any harm that may be meditated against them, or either of them, that shall come to their knowledge; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

Art. 9. If any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said nations, he and they shall be out of the protection of the United States; and the said nations may punish him or them in such manner as they see fit.

Art. 10. The United States renew the reservations heretofore made* in the before mentioned treaty at fort M'Intosh, for the establishment of trading posts, in manner and form following; that is to say: six miles square at the mouth of the Miami or Omie rivers; six miles square at the portage upon that branch of the Miami which runs into the Ohio; six miles square upon the lake Sandusky, where the fort formerly stood; and two miles square upon each side the lower rapids, on Sandusky river: which posts, and the lands annexed to them, shall be for the use and under the government of the United States.

* See ante, No. 1, art. 4, of this chapter.

Art. 11. The post at Detroit, with a district of land beginning at the mouth of the river Rosine, at the west end of lake Erie, and running up the southern bank of said river six miles; thence northerly, and always six miles west of the strait, until it strikes the lake St. Clair, shall be reserved for the use of the United States.

The post at Detroit, &c. reserved.

Art. 12. In like manner, the post at Michilimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the sole use of the United States.

The post at Michilimackinac, &c. reserved.

Art. 13. The United States of America do hereby renew and confirm the peace and friendship entered into with the said nations, at the treaty before mentioned, held at fort M'Intosh; and the said nations again acknowledge themselves, and all their tribes, to be under the protection of the said United States, and no other power whatever.

Peace and friendship renewed and confirmed, &c.

Art. 14. The United States of America do also receive into their friendship and protection, the nations of the Pattawatimas and Sacs; and do hereby establish a league of peace and amity between them respectively; and all the articles of this treaty, so far as they apply to these nations, are to be considered as made and concluded in all, and every part, expressly with them and each of them.

The United States receive into friendship and protection the Pattawatimas and Sacs, &c.

Art. 15. And whereas, in describing the boundary before mentioned, the words, if strictly constructed, would carry it from the portage on that branch of the Miami which runs into the Ohio, over to the river Auglaize; which was neither the intention of the Indians, nor of the commissioners; it is hereby declared, that the line shall run from the said portage directly to the first fork of the Miami river, which is to the southward and eastward of the Miami village, thence down the main branch of the Miami river to the said village, and thence down that river to lake Erie, and along the margin of the lake to the place of beginning.

Correction of the boundary line; for which see 2d article of this treaty.

Done at fort Harmar, on the Muskingum, this ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine.

In witness whereof, the parties have hereunto interchangeably set their hands and seals.

Ar. St. Clair,	I. s.
Peoutewatamie, his x mark,	I. s.
Konatikina, his x mark,	I. s.

SACS.

Tepakee, his x mark,	I. s.
Kesheyiva, his x mark,	I. s.

CHIPPEWAS.

Mesass, his x mark,	I. s.
Paushquash, his x mark,	I. s.
Pawasicko, his x mark,	I. s.

OTTAWAS.

Wewiskia, his x mark, l. s.
Neagey, his x mark, l. s.

PATTAWATIMAS.

Windigo, his x mark, l. s.
Wapaska, his x mark, l. s.
Nequea, his x mark, l. s.

DELAWARES.

Captain Pipe, his x mark, l. s.
Wingenond, his x mark, l. s.
Pekelan, his x mark, l. s.
Teataway, his x mark, l. s.

CHIPPEWAS.

Nanamakeak, his x mark, l. s.
Wetenasa, his x mark, l. s.
Soskene, his x mark, l. s.
Pewanakum, his x mark, l. s.

WYANDOTS.

Teyandatontec, his x mark, l. s.
Cheyawc, his x mark, l. s.
Doueyentcat, his x mark, l. s.
Tarhe, his x mark, l. s.
Terhataw, his x mark, l. s.
Datassay, his x mark, l. s.
Maudoronk, his x mark, l. s.
Skahomat, his x mark, l. s.

In presence of

Jos. Hartmar, *lt. col. comd. 1st U. S. regt. and brig. genl. by brevet.*
Richard Butler,
Jno. Gibson,
Will. McCurdey, *capt.*
E. Denny, *ens. 1st U. S. regt.*
A. Hartshorn, *ensn.*
Robt. Thompson, *ensn. 1st U. S. regt.*
Frans. Muse, *ensn.*
J. Williams, *jun.*
Wm. Wilson,
Joseph Nicholas,
James Binkin.

Wyandot
claim to
Shawnee
lands.

Threat of dis-
possessing the
Shawanees.

Further claim
of the Wyandots.

Be it remembered, that the Wyandots have laid claim to the lands that were granted to the Shawanees at the treaty held at the Miami;* and have declared, that as the Shawanees have been so restless, and caused so much trouble, both to them and to the United States, if they will not now be at peace, they will dispossess them, and take the country into their own hands; so that the country is theirs of right, and the Shawanees are only living upon it by their permission. They further lay claim to all the country west of the Miami boundary, from the village to the lake Erie, and declare that it is now under their management and direction.

* See post. chapter 7, No. 1.

SEPARATE ARTICLE.

Whereas the Wyandots have represented, that within the reservation from the river Rosine, along the strait, they have two villages from which they cannot, with any convenience, remove; it is agreed, that they shall remain in possession of the same, and shall not be in any manner disturbed therein.

Two Wyandot villages, within the reservation mentioned, not to be disturbed. Article, art. 11 of the foregoing treaty.

No. 3. A treaty of peace between the United States of America, and the tribes of Indians called the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pattawatimas, Miami, Eel Rivers, Weas, Kickapoos, Piankeshaws, and Kaskaskias.

Treaty with the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pattawatimas, Miami, Eel Rivers, Weas, Kickapoos, Piankeshaws, and Kaskaskias.

To put an end to a destructive war, to settle all controversies, and to restore harmony and friendly intercourse between the said United States and Indian tribes, Anthony Wayne, major general, commanding the army of the United States, and sole commissioner for the good purposes abovementioned, and the said tribes of Indians, by their sachems, chiefs, and warriors, met together at Greenville, the head quarters of the said army, have agreed on the following articles, which, when ratified by the president, with the advice and consent of the senate of the United States, shall be binding on them and the said Indian tribes.

Art. 1. Henceforth all hostilities shall cease; peace is hereby established, and shall be perpetual; and a friendly intercourse shall take place between the said United States and Indian tribes.

Peace established, &c.

Art. 2. All prisoners shall, on both sides, be restored. The Indians, prisoners to the United States, shall be immediately set at liberty. The people of the United States, still remaining prisoners among the Indians, shall be delivered up in ninety days from the date hereof, to the general or commanding officer at Greenville, fort Wayne, or fort Defiance; and ten chiefs of the said tribes shall remain at Greenville as hostages, until the delivery of the prisoners shall be effected.

Prisoners to be mutually restored.

Ten chiefs to remain as hostages.

Art. 3. The general boundary line between the lands of the United States and the lands of the said Indian tribes, shall begin at the mouth of Cayahoga river, and run thence up the same to the portage, between that and the Tuscarawas branch of the Muskingum, thence down that branch, to the crossing place above fort Lawrence, thence westerly to a fork of that branch of the great Miami River, running into the Ohio, at or near which fork stood Loromie's store, and where commences the portage between the Miami of the Ohio, and St. Mary's river, which is a branch of the Miami which runs into lake Erie; thence a westerly course to fort Recovery, which stands on a branch of the Wabash; thence southwesterly in a direct line to the Ohio, so as to intersect that river opposite the mouth of Kentucke or Cuttawa river. And in consideration of the peace

Boundary line between the United States and the tribes.

In considera-

time of the peace, and goods delivered, and to be delivered, the tribes cede forever all lands lying eastwardly and southwardly of the line described. See post. art. 4, of this treaty.

The tribes, for the considerations mentioned, cede sixteen pieces of land herein described.

now established; of the goods formerly received from the United States; of those now to be delivered; and of the yearly delivery of goods now stipulated to be made hereafter; and to indemnify the United States for the injuries and expenses they have sustained during the war, the said Indian tribes do hereby cede and relinquish forever, all their claims to the lands lying eastwardly and southwardly of the general boundary line now described: and these lands, or any part of them, shall never hereafter be made a cause or pretence, on the part of the said tribes, or any of them, of war or injury to the United States, or any of the people thereof.

And for the same considerations, and as an evidence of the returning friendship of the said Indian tribes, of their confidence in the United States, and desire to provide for their accommodation, and for that convenient intercourse which will be beneficial to both parties, the said Indian tribes do also cede to the United States the following pieces of land, to wit: 1. One piece of land six miles square, at or near Loromie's store, before mentioned. 2. One piece two miles square, at the head of the navigable water or landing, on the St. Mary's river, near Girty's town. 3. One piece six miles square, at the head of the navigable water of the Auglaize river. 4. One piece six miles square, at the confluence of the Auglaize and Miami rivers, where fort Defiance now stands. 5. One piece six miles square, at or near the confluence of the rivers St. Mary's and St. Joseph's, where fort Wayne now stands, or near it. 6. One piece two miles square, on the Wabash river, at the end of the portage from the Miami of the lake, and about eight miles westward from fort Wayne. 7. One piece six miles square, at the Ouatanon, or Old Wea towns, on the Wabash river. 8. One piece twelve miles square, at the British fort on the Miami of the lake, at the foot of the rapids. 9. One piece six miles square, at the mouth of the said river, where it empties into the lake. 10. One piece six miles square, upon Sandusky lake, where a fort formerly stood. 11. One piece two miles square, at the lower rapids of Sandusky river. 12. The post of Detroit, and all the land to the north, the west and the south of it, of which the Indian title has been extinguished by gifts or grants to the French or English governments: and so much more land to be annexed to the district of Detroit, as shall be comprehended between the river Rosine, on the South, lake St. Clair on the north, and a line, the general course whereof shall be six miles distant from the west end of lake Erie and Detroit river. 13. The post of Michilimackinac, and all the land on the Island on which that post stands, and the main land adjacent, of which the Indian title has been extinguished by gifts or grants to the French or English governments; and a piece of land on the main to the north of the island, to measure six miles, on lake Huron, or the

strait between lakes Huron and Michigan, and to extend three miles back from the water of the lake or strait; and also, the island De Bois Blanc, being an extra and voluntary gift of the Chippewa nation. 14. One piece of land six miles square, at the mouth of Chicago river, emptying into the southwest end of lake Michigan, where a fort formerly stood. 15. One piece twelve miles square, at or near the mouth of the Illinois river, emptying into the Mississippi. 16. One piece six miles square, at the old Piorias fort and village near the south end of the Illinois lake, on said Illinois river. And whenever the United States shall think proper to survey and mark the boundaries of the lands hereby ceded to them, they shall give timely notice thereof to the said tribes of Indians, that they may appoint some of their wise chiefs to attend and see that the lines are run according to the terms of this treaty.

The United States to notify the tribes when they intend to survey, &c.

And the said Indian tribes will allow to the people of the United States a free passage by land and by water, as one and the other shall be found convenient, through their country, along the chain of posts hereinbefore mentioned; that is to say: from the commencement of the portage aforesaid, at or near Loromie's store, thence along said portage to the St. Mary's, and down the same to fort Wayne, and then down the Miami to lake Erie; again, from the commencement of the portage at or near Loromie's store along the portage from thence to the river Auglaize, and down the same to its junction with the Miami at fort Defiance; again, from the commencement of the portage aforesaid, to Sandusky river, and down the same to Sandusky bay and lake Erie, and from Sandusky to the post which shall be taken at or near the foot of the Rapids of the Miami of the lake; and from thence to Detroit. Again, from the mouth of Chicago, to the commencement of the portage, between that river and the Illinois, and down the Illinois river to the Mississippi; also, from fort Wayne, along the portage aforesaid, which leads to the Wabash, and then down the Wabash to the Ohio. And the said Indian tribes will also allow to the people of the United States, the free use of the harbors and mouths of rivers along the lakes adjoining the Indian lands, for sheltering vessels and boats, and liberty to land their cargoes where necessary for their safety.

The tribes allow a free passage by land and water, through their country, along the chain of posts or pieces of land ceded by this article, &c. according to the route herein specified.

The tribes also allow the free use of harbors, &c.

Art. 4. In consideration of the peace now established, and of the cessions and relinquishments of lands made in the preceding article by the said tribes of Indians, and to manifest the liberality of the United States, as the great means of rendering this peace strong and perpetual, the United States relinquish their claims to all other Indian lands northward of the river Ohio, eastward of the Mississippi, and westward and southward of the Great Lakes and the waters uniting them, according to the boundary line agreed on by the United States and the king

The United States relinquish all claim to other lands, according to the boundary

the established by the definitive treaty of peace with Great Britain.

Reservation of four tracts out of the lands relinquished by the United States.

The United States deliver goods to the value of \$30,000

Annuity, in future, of \$9,000.

Apportionment of the annuity of \$9,500 among the several tribes, parties to this treaty.

Either of the tribes may commute a part of their portion for implements of husbandry, &c. on notice.

Explanation of the meaning of the relinquishment of lands by the United States, in the preceding article.

of Great Britain, in the treaty of peace made between them in the year 1763. But from this relinquishment by the United States, the following tracts of land are explicitly excepted.

1st. The tract of one hundred and fifty thousand acres near the rapids of the river Ohio, which has been assigned to general Clark, for the use of himself and his warriors. 2d. The post of St. Vincennes, on the river Wabash, and the lands adjacent, of which the Indian title has been extinguished. 3d. The lands at all other places in possession of the French people and other white settlers among them, of which the Indian title has been extinguished as mentioned in the 3d article; and 4th. The post of fort Massac towards the mouth of the Ohio. To which several parcels of land so excepted, the said tribes relinquish all the title and claim which they or any of them may have.

And for the same considerations and with the same views as above mentioned, the United States now deliver to the said Indian tribes a quantity of goods to the value of twenty thousand dollars, the receipt whereof they do hereby acknowledge; and henceforward, every year, forever, the United States will deliver, at some convenient place northward of the river Ohio, like useful goods, suited to the circumstances of the Indians, of the value of nine thousand five hundred dollars; reckoning that value at the first cost of the goods in the city or place in the United States where they shall be procured. The tribes to which those goods are to be annually delivered, and the proportions in which they are to be delivered, are the following :

1st. To the Wyandots, the amount of one thousand dollars. 2d. To the Delawares, the amount of one thousand dollars. 3d. To the Shawanees, the amount of one thousand dollars. 4th. To the Miamis, the amount of one thousand dollars. 5th. To the Ottawas, the amount of one thousand dollars. 6th. To the Chippewas, the amount of one thousand dollars. 7th. To the Pattawatimas, the amount of one thousand dollars. 8th. And to the Kickapoo, Wea, Eel River, Piankeshaw, and Kaskaskia tribes, the amount of five hundred dollars each.

Provided, that if either of the said tribes shall hereafter, at an annual delivery of their share of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry, and other utensils convenient for them, and in compensation to useful artificers who may reside with or near them, and be employed for their benefit, the same shall, at the subsequent annual deliveries, be furnished accordingly.

Art. 5. To prevent any misunderstanding about the Indian lands relinquished by the United States in the fourth article, it is now explicitly declared, that the meaning of that relinquishment is this : the Indian tribes who have a right to those lands, are quietly to enjoy them, hunting, planting, and dwelling thereon, so long as they please, without any molestation from the Unit-

ed States; but when those tribes, or any of them, shall be disposed to sell their lands, or any part of them, they are to be sold only to the United States; and until such sale, the United States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the United States, and against all other white persons who intrude upon the same. And the said Indian tribes again acknowledge themselves to be under the protection of the said United States, and no other power whatever.

Art. 6. If any citizen of the United States, or any other white person or persons, shall presume to settle upon the lands now relinquished by the United States, such citizen or other person shall be out of the protection of the United States; and the Indian tribe, on whose land the settlement shall be made, may drive off the settler, or punish him in such manner as they shall think fit; and because such settlements, made without the consent of the United States, will be injurious to them as well as to the Indians, the United States shall be at liberty to break them up, and remove and punish the settlers as they shall think proper, and so effect that protection of the Indian lands herein before stipulated.

Art. 7. The said tribes of Indians, parties to this treaty, shall be at liberty to hunt within the territory and lands which they have now ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

Art. 8. Trade shall be opened with the said Indian tribes; and they do hereby respectively engage to afford protection to such persons, with their property, as shall be duly licensed to reside among them for the purpose of trade; and to their agents and servants; but no person shall be permitted to reside at any of their towns or hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and seal of the superintendent of the department northwest of the Ohio, or such other person as the president of the United States shall authorize to grant such licenses; to the end, that the said Indians may not be imposed on in their trade.* And if any licensed trader shall abuse his privilege by unfair dealing, upon complaint and proof thereof, his license shall be taken from him, and he shall be further punished according to the laws of the United States. And if any person shall intrude himself as a trader, without such license, the said Indians shall take and bring him before the superintendent, or his deputy, to be dealt with according to law. And to prevent impositions by forged licenses, the said Indians shall, at least once a year, give information

The tribes to sell only to the United States, &c.

Citizens settling on the lands of the tribes, outlawed, &c.

The tribes may hunt on the lands they have ceded, &c.

Trade to be opened, &c.

No trader allowed at Indian towns or hunting camps, without a license.

Traders abusing privilege, to forfeit license, &c.

Unlicensed traders to be arrested, &c.

Names of

* See, in relation to this licensed trade, the "first explanatory article" of the treaty of amity, commerce, and navigation, between the United States and Great-Britain, of the 19th of November, 1794.

traders to be reported.

Revenge for private injuries prohibited, &c.

The tribes to give notice of hostile designs against the United States, and prevent the passage of other tribes who are inimical.

The United States to notify the tribes of intended harm, &c.

All other treaties, subsequent to the 3d of September, 1783, within the purview of this treaty, void.

to the superintendent, or his deputies, of the names of the traders residing among them.

Art. 9. Lest the firm peace and friendship now established, should be interrupted by the misconduct of individuals, the United States, and the said Indian tribes agree, that for injuries done by individuals on either side, no private revenge or retaliation shall take place; but instead thereof, complaint shall be made by the party injured, to the other: by the said Indian tribes, or any of them, to the president of the United States, or the superintendent by him appointed; and by the superintendent or other person appointed by the president, to the principal chiefs of the said Indian tribes, or of the tribe to which the offender belongs; and such prudent measures shall then be pursued as shall be necessary to preserve the said peace and friendship unbroken, until the legislature (or great council) of the United States, shall make other equitable provision in the case, to the satisfaction of both parties. Should any Indian tribes meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before-mentioned tribes, or either of them, they do hereby engage to give immediate notice thereof to the general, or officer commanding the troops of the United States, at the nearest post. And should any tribe, with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavor to prevent the same, and in like manner give information of such attempt, to the general, or officer commanding, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States. In like manner, the United States shall give notice to the said Indian tribes of any harm that may be meditated against them, or either of them, that shall come to their knowledge; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

Art. 10. All other treaties heretofore made between the United States and the said Indian tribes, or any of them, since the treaty of 1783, between the United States and Great-Britain, that come within the purview of this treaty, shall henceforth cease and become void.*

In testimony whereof, the said Anthony Wayne, and the sachems and war chiefs of the beforementioned nations and tribes of Indians, have hereunto set their hands and affixed their seals.

Done at Greenville, in the territory of the United States north-west of the river Ohio, on the third day of August, one thousand seven hundred and ninety-five.

Anthony Wayne,

1 s.

* See note at the end of this chapter.

WYANDOTS.

Tarhe, or Crane, his x mark,	l. s.
J. Williams, jnr. his x mark,	l. s.
Teyyaghtaw, his x mark,	l. s.
Haroenyou, or half king's son, his x mark,	l. s.
Tchaawtorens, his x mark,	l. s.
Awmeeyeray, his x mark,	l. s.
Stayetah, his x mark,	l. s.
Shateyyaronyah, or Leather Lips, his x mark,	l. s.
Daughshuttayah, his x mark,	l. s.
Shaawrunthe, his x mark,	l. s.

DELAWARES.

Tetabokshke, or Grand Glaize King, his x mark,	l. s.
Lemantanquis, or Black King, his x mark,	l. s.
Wabatthoc, his x mark,	l. s.
Maghipiway, or Red Feather, his x mark,	l. s.
Kikthawenund, or Anderson, his x mark,	l. s.
Bukongehelas, his x mark,	l. s.
Peckeelund, his x mark,	l. s.
Wellebawkeelund, his x mark,	l. s.
Peckeetelemund, or Thomas Adams, his x mark,	l. s.
Kishkopekund, or captain Buffalo, his x mark,	l. s.
Amenahahan, or captain Crow, his x mark,	l. s.
Queshawkse, or George Washington, his x mark,	l. s.
Weywinquis, or Billy Siscomb, his x mark,	l. s.
Moses, his x mark,	l. s.

SHAWANEES.

Misquaconacaw, or Red Pole, his x mark,	l. s.
Cutthewekasaw, or Black Hoof, his x mark,	l. s.
Kaysewacsekah, his x mark,	l. s.
Weythapamattha, his x mark,	l. s.
Nianymoeck, his x mark,	l. s.
Waytheah, or Long Shanks, his x mark,	l. s.
Weyapiersenwaw, or Blue Jacket, his x mark,	l. s.
Nequetaughaw, his x mark,	l. s.
Hahgooseckaw, or captain Reed, his x mark,	l. s.

OTTOWAS.

Augooshaway, his x mark,	l. s.
Keenoshameek, his x mark,	l. s.
La Mahee, his x mark,	l. s.
Machiwetah, his x mark,	l. s.
Thowonawa, his x mark,	l. s.
Secaw, his x mark,	l. s.

CHIPPEWAS.

Mashipinashiwish, or Bad Bird, his x mark,	l. s.
Nahshogashhe, (from lake Superior,) his x mark,	l. s.
Kathawasung, his x mark,	l. s.
Masasa, his x mark,	l. s.
Nemekase, or Little Thunder, his x mark,	l. s.
Peshawkey, or Young Ox, his x mark,	l. s.
Nanguay, his x mark,	l. s.
Meenedohgeesogh, his x mark,	l. s.
Peewanshemengh, his x mark,	l. s.
Weymegwas, his x mark,	l. s.
Gobmaatick, his x mark,	l. s.

OTTAWA.

Chegonickska, (an Ottawa from Sandusky,) his x mark,	l. s.
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PATAWATIMAS OF THE RIVER ST. JOSEPH.

Thupenebu, his x mark,	l. s.
Nawac, (for himself and brother Etaimethe,) his x mark,	l. s.
Nenanseka, his x mark,	l. s.
Keeemas, or Sun, his x mark,	l. s.
Kabamasaw, (for himself and brother Chisagan,) his x mark,	l. s.
Sugganunk, his x mark,	l. s.
Wapmeme, or White Pigeon, his x mark,	l. s.
Wacheness, (for himself and brother Pedagoashok,) his x mark,	l. s.
Wabshicawnaw, his x mark,	l. s.
La Chasse, his x mark,	l. s.
Meshegethenogh, (for himself and brother Wawasek,) his x mark,	l. s.
Hingowash, his x mark,	l. s.
Anewasaw, his x mark,	l. s.
Nawbudgh, his x mark,	l. s.
Missenogomaw, his x mark,	l. s.
Waweegeche, his x mark,	l. s.
Thawme, or Le Blanc, his x mark,	l. s.
Geeque, (for himself and brother Shewinse,) his x mark,	l. s.

PATAWATIMAS OF HURON.

Okia, his x mark,	l. s.
Chamung, his x mark,	l. s.
Segagewan, his x mark,	l. s.
Nanawme, (for himself and brother A. Gin,) his x mark,	l. s.
Marchand, his x mark,	l. s.
Wenameac, his x mark,	l. s.

MIAMIS.

Nagohquangogh, or Le Gris, his x mark,	l. s.
Meshekunnoghquoh, or Little Turtle, his x mark,	l. s.

MIAMIS AND EEL RIVERS.

Peejeeewa, or Richard Ville, his x mark,	l. s.
Cochkepeghtogh, his x mark,	l. s.

EEL RIVER TRIBE.

Shamekunnessa, or Soldier, his x mark,	l. s.
--	-------

MIAMIS.

Wapamangwa, or the White Loon, his x mark,	l. s.
--	-------

WEAS, FOR THEMSELVES AND THE PIANKESHAW.

Amacunes, or Little Beaver, his x mark,	l. s.
Accoolatha, or Little Fox, his x mark,	l. s.
Francis, his x mark,	l. s.

KICKAPOOS AND KASKASKIAS.

Keeawhah, his x mark,	l. s.
Nemighka, or Josey Renard, his x mark,	l. s.
Paikkeekanogh, his x mark,	l. s.

DELAWARES OF SANDUSKY.

Hawkinpumiska, his x mark,	l. s.
Peyamawksay, his x mark,	l. s.
Reyntuseco, (of the Six Nations, living at Sandosky,) his x mark,	l. s.

In presence of, (the word "goods" in the 6th line of the 3d article; the word "before" in the 26th line of the 3d article; the words "five hundred" in the 10th line of the 4th article, and the word "Piankeshaw" in the 14th line of the 4th article, being first interlined.)

H. De Butta, first A. D. C. and sec'y to M. G. Wayne,
Wm. H. Harrison, aid de camp to M. G. Wayne,

T. Lewis, *aid de camp to M. G. Wayne*,
 James O'Hara, *quartermaster genl.*
 John Mills, *major of infantry, and adj. genl.*
 Caleb Swan, *P. M. T. U. S.*
 Geo. Demter, *lieut. artillery*,
 Vigo,
 P. Fra. La Fontaine,
 Ant. Lasselle,
 H. Lasselle,
 Jn. Beau Bien,
 David Jones, *chaplain U. S. S.*
 Lewis Beaufait,
 R. Lachambre,
 Jas. Pepem,
 Baties Coution,
 P. Navarre:

Sworn interpreters.

Wm. Wells,
 Jacques Lasselle,
 M. Morins,
 Bt. Sans Crainte,
 Christopher Miller,
 Robert Wilson,
 Abraham Williams, *his x mark*,
 Isaac Zane, *his x mark*.

No. 4. Articles of a treaty made at fort Wayne, on the Miami of the Lake, between William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the Ohio, of the one part, and the tribes of Indians called the Delawares, Shawanees, Pattawatimas, Miamis, Kickapoo, by their chiefs and head warriors, and those of the Eel River, Weas, Piankeshaws, and Kaskaskias, by their agents and representatives, Tuthinipee, Winnemac, Richewille, and Little Turtle, (who are properly authorized by the said tribes,) of the other part.

Treaty with the Delawares, Shawanees, Pattawatimas, Miamis, Kickapoo, Eel River, Weas, Piankeshaws, and Kaskaskias.

Art. 1. Whereas it is declared by the fourth article of the treaty of Greenville,* that the United States reserve for their use the post of St. Vincennes, and all the lands adjacent, to which the Indian titles had been extinguished. And whereas it has been found difficult to determine the precise limits of the said tract as held by the French and British governments: it is hereby agreed, that the boundaries of the said tract shall be as follow: beginning at Point Coupee, on the Wabash, and running thence by a line north seventy-eight degrees, west twelve miles, thence by a line parallel to the general course of the Wabash, until it shall be intersected by a line at right angles to the same, passing through the mouth of White river, thence by the last mentioned line across the Wabash, and towards the Ohio, seventy-two miles, thence by a line north twelve degrees west, until it shall be intersected by a line at right angles to the same, passing through Point Coupee, and by the last mentioned line to the place of beginning.

* Ante, No. 3, of this chapter.]

Boundaries of a tract reserved to the United States, by the 4th article of the treaty of Greenville, about the post of St. Vincennes, described.

The United States relinquish adjoining lands.

Art. 2. The United States hereby relinquish all claim which they may have had to any lands adjoining to, or in the neighborhood of, the tract above described.

Salt spring upon the Saline creek ceded to the United States, with a quantity of land surrounding it. United States engage to deliver, for the use of the Indians, a certain quantity of salt yearly, &c.

Art. 3. As a mark of their regard and attachment to the United States, whom they acknowledge for their only friends and protectors, and for the consideration hereinafter mentioned, the said tribes do hereby relinquish and cede to the United States, the great salt spring upon the Saline creek, which falls into the Ohio below the mouth of the Wabash, with a quantity of land surrounding it, not exceeding four miles square, and which may be laid off in a square or oblong as the one or the other may be found most convenient to the United States: and the said United States being desirous that the Indian tribes should participate in the benefits to be derived from the said spring, hereby engage to deliver yearly, and every year, for the use of the said Indians, a quantity of salt, not exceeding one hundred and fifty bushels, and which shall be divided among the several tribes in such manner as the general council of the chiefs may determine.

As soon as the tribes mentioned herein consent, the United States to have the right to locate four tracts of land, for houses of entertainment, &c.

Art. 4. For the considerations before mentioned, and for the convenience which the said tribes will themselves derive from such establishments, it is hereby agreed, that as soon as the tribes called the Kickapoos, Eel Rivers, Weas, Piankeshaws, and Kaskaskias, shall give their consent to the measure,† the United States shall have the right of locating three tracts of land (of such size as may be agreed upon with the last mentioned tribes) on the main road between Vincennes and Kaskaskias, and one other between Vincennes and Clarksville, for the purpose of erecting houses of entertainment, for the accommodation of travellers. But it is expressly understood, that if the said locations are made on any of the rivers which cross the said road, and ferries should be established on the same, that in times of high water any Indian or Indians, belonging to either of the tribes who are parties to the treaty, shall have the privilege of crossing such ferry toll free.

Indians to pass ferries toll free.

Boundary line to be so run as to include settlements, &c. by citizens, &c.

Art. 5. Whereas there is reason to believe, that if the boundary lines of the tract described in the first article should be run in the manner therein directed, that some of the settlements and locations of land, made by the citizens of the United States, will fall in the Indian country; it is hereby agreed, that such alterations shall be made in the direction of these lines, as will include them; and a quantity of land, equal in quantity to what may be thus taken, shall be given to the said tribes, either at the east or the west end of the tract.

In testimony whereof, the commissioner of the United States, and the chiefs and warriors of the Delawares, Shawanees,

† See the consent of these tribes given: No. 5, of this chapter; which immediately follows this treaty, except the Weas.

Pattawatimas, Miamis, and Kickapoos, and those of the Eel Rivers, Weas, Piankeshaws, and Kaskaskias, by their agents and representatives, Tuthinipee, Winnemac, Richewille, and the Little Turtle, who are properly authorized by the said tribes, have hereunto subscribed their names and affixed their seals, at fort Wayne, this seventh day of June, in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty-seventh.

William Henry Harrison,

l. s.

MIAMIS.

Richewille, his x mark,

l. s.

Meshekunnoghquoh, or Little Turtle, his x mark,

l. s.

On behalf of themselves, Eel Rivers, Weas, Piankeshaws, and Kaskaskias, whom they represent.

KICKAPOOS.

Nehmahtohah, or Standing, his x mark,

l. s.

Pashabewchah, or Cat, his x mark,

l. s.

SHAWANEEES.

Neahmensiech, his x mark,

l. s.

PATTAWATIMAS.

Tuthinipee, his x mark,

l. s.

Winnemac, his x mark,

l. s.

On behalf of the Pattawatimas, and Eel Rivers, Weas, Piankeshaws, and Kaskaskias, whom they represent.

Wannagees, or Five Medals, his x mark,

l. s.

Kecsaas, or Sun, his x mark,

l. s.

DELAWARES.

Teta Buxike, his x mark,

l. s.

Bukongehelas, his x mark,

l. s.

Hockingpomsken, his x mark,

l. s.

Kechkawhanund, his x mark,

l. s.

SHAWANEEES.

Cuthewekasaw, or Black Hoof, his x mark,

l. s.

Methawnasice, his x mark,

l. s.

Signed, sealed, and delivered, in the presence of

John Rice Jones, *secretary to the commissioner,*

John Gibson, *secretary Indiana territory,*

Tho. Pasteur, *capt. first regt. infantry,*

William Wells, *interpreter,*

John Johnston, *United States' factor,*

Hendrick Aupaumut, *chief of Mashhecon,*

Thomas Freeman.

The proceedings at the within treaty were faithfully interpreted by us, John Gibson and William Wells; that is, for the Delawares, John Gibson, and for the rest of the tribes, William Wells.

JOHN GIBSON,
WILLIAM WELLS.

Treaty with
the Eel Ri-
vers, Wyandots,
Planeshaws, Kas-
kaskias, and
Kickapoos.

No. 5. At a council holden at Vincennes, on the seventh day of August, one thousand eight hundred and three, under the direction of William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary, with any of the Indian nations northwest of the river Ohio, at which were present the chiefs and warriors of the Eel River, Wyandot, Planeshaw and Kaskaskia nations, and also the tribe of the Kickapoos, by their representatives, the chiefs of the Eel River nation.

The 4th arti-
cle of the
treaty of fort
Wayne,
consented to.

The fourth article of the treaty holden and concluded at fort Wayne, on the seventh day of June, one thousand eight hundred and three, being considered, the chiefs and warriors of the said nations give their free and full consent to the same, and they do hereby relinquish and confirm to the United States the privilege and right of locating three several tracts of land of one mile square each, on the road leading from Vincennes to Kaskaskia, and also one other tract of land of one mile square on the road leading from Vincennes to Clarksville; which locations shall be made in such places on the aforesaid roads, as shall best comport with the convenience and interests of the United States in the establishment of houses of entertainment for the accommodation of travellers.

In witness whereof, the said William Henry Harrison, and the said chiefs and warriors of the before mentioned nations and tribe of Indians, have hereunto set their hands and affixed their seals, the day and year first above written.

William Henry Harrison,	1. s.
Ka Tungah, or 'harly, his x mark,	1. s.
Akaketa, or Ploughman, his x mark,	1. s.
Gros Bled, or Big Corn, his x mark,	1. s.
Black Dog, his x mark,	1. s.
Puppequor, or Gun, his x mark,	1. s.
La Boussier, his x mark,	1. s.
Ducoigne, his x mark,	1. s.
Pedegogue, his x mark,	1. s.
Saconquaneva, or Tired Lega, his x mark,	1. s.
Little Eyes, his x mark,	1. s.

Signed, sealed, and delivered, in the presence of us,

John Rice Jones,
B. Parke,
Joseph Barron, interpreter.

Treaty with
the Wyandots,
&c.

No. 6. A treaty between the United States of America, and the sachems, chiefs, and warriors, of the Wyandot, Ottawa, Chippewa, Munsee, and Delaware, Shawanee, and Pattawatima nations, holden at fort Industry, on the Miami of the lake, on the fourth day of July, Anno Domini, one thousand eight hundred and five.

The nations in
friendship
with and un-
der the pro-
tection of the
U. S.

Art. 1. The said Indian nations do again acknowledge themselves and all their tribes, to be in friendship with, and under the protection of, the United States.

Art. 2. The boundary line between the United States and the nations aforesaid, shall in future* be a meridian line drawn north and south, through a boundary to be erected on the south shore of lake Erie, one hundred and twenty miles due west of the west boundary line of the state of Pennsylvania, extending north until it intersects the boundary line of the United States, and extending south until it intersects a line heretofore established by the treaty of Greenville.†

Art. 3. The Indian nations aforesaid, for the consideration of friendship to the United States, and the sums of money hereinafter mentioned, to be paid annually to the Wyandot, Shawannee, Munsee, and Delaware nations, have ceded, and do hereby cede and relinquish to said United States forever, all the lands belonging to said United States, lying east of the aforesaid line, bounded southerly and easterly by the line established by said treaty of Greenville, and northerly by the northernmost part of the forty-first degree of north latitude.

Art. 4. The United States, to preserve harmony, manifest their liberality, and in consideration of the cession made in the preceding article, will, every year forever hereafter, at Detroit, or some other convenient place, pay and deliver to the Wyandot, Munsee, and Delaware nations, and those of the Shawnee and Seneca nations who reside with the Wyandots, the sum of eight hundred and twenty-five dollars, current money of the United States, and the further sum of one hundred and seventy-five dollars, making in the whole an annuity of one thousand dollars; which last sum of one hundred and seventy-five dollars, has been secured to the president, in trust for said nations, by the Connecticut land company, and by the company incorporated by the name of "the proprietors of the half million acres of land lying south of lake Erie, called Sufferers' Land," payable annually as aforesaid, and to be divided between said nations, from time to time, in such proportions as said nations, with the approbation of the president, shall agree.

Art. 5. To prevent all misunderstanding hereafter, it is to be expressly remembered, that the Ottawa and Chippewa nations, and such of the Pattawatima nation as reside on the river Huron of lake Erie, and in the neighborhood thereof, have received from the Connecticut land company, and the company incorporated by the name of "the proprietors of the half million acres of land lying south of lake Erie, called Sufferer's Land," the sum of four thousand dollars, in hand, and have secured to the president of the United States, in trust for them, the further sum of twelve thousand dollars, payable in six annual instalments of two thousand dollars each; which

* For the former boundary line, see ante, No. 3, art. 3, and No. 4, articles 1 and 5, of this chapter.

† See ante, No. 3, art. 3, of this chapter.

ther sum of
\$12,000, &c.

several sums is the full amount of their proportion of the purchases effected by this treaty, and also by a treaty with said companies, bearing even date herewith;* which proportions were agreed on and concluded by the whole of said nations in their general council; which several sums, together with two thousand nine hundred and sixteen dollars and sixty-seven cents, secured to the president, to raise said sum of one hundred and seventy-five dollars annuity as aforesaid, is the amount of the consideration paid by the agents of the Connecticut Reserve, for the cession of their lands.

The nations
at liberty to
fish and hunt
within the ter-
ritory ceded,
&c.

Art. 6. The said Indian nations, parties to this treaty, shall be at liberty to fish and hunt within the territory and lands which they have now ceded to the United States, so long as they shall demean themselves peaceably.

In witness whereof, Charles Jouett, esquire, a commissioner on the part of the United States, and the sachems, chiefs, and warriors, of the Indian nations aforesaid, have hereto set their hands and seals.

Charles Jouett, l. s.

OTTAWA.

Nekeik, or Little Otter, his x mark, l. s.
Kawachewan, or Eddy, his x mark, l. s.
Mechimenduch, or Big Bowl, his x mark, l. s.
Aubaway, his x mark, l. s.
Ogonse, his x mark, l. s.
Sawgamaw, his x mark, l. s.
Tusquagan, or M'Carty, his x mark, l. s.
Tondawganic, or the Dog, his x mark, l. s.
Ashawet, his x mark, l. s.

CHIPPEWA.

Macquettequet, or Little Bear, his x mark, l. s.
Quitcheonequit, or Big Cloud, his x mark, l. s.
Queoonequetwabaw, his x mark, l. s.
Oscaquassanu, or Young Boy, his x mark, l. s.
Monimack, or Cat Fish, his x mark, l. s.
Tonquish, his x mark, l. s.

PATTAWATIMA.

Noname, his x mark, l. s.
Mogawh, his x mark, l. s.

WYANDOT.

Tarhee, or the Crane, his x mark, l. s.
Miere, or Walk in Water, his x mark, l. s.
Thateyyanayoh, or Leather Lips, his x mark, l. s.
Harrowenyou, or Cherokee Boy, his x mark, l. s.
Tachauendah, his x mark, l. s.
Tahunchawettee, or Adam Brown, his x mark, l. s.
Shawrunthie, his x mark, l. s.

MUNSEE AND DELAWARE.

Puckconsittond, his x mark, l. s.
Paahmehelot, his x mark, l. s.

* This treaty does not appear in any edition of the laws of the United States, nor is it to be found in the archives of the department of state.

Pamoxet, or Armstrong, his x mark,
Pappellelond, or Beaver Hat, his x mark,

l. s.
l. s.

SHAWANEE.

Weyapurseawaw, or Blue Jacket, his x mark,
Cutheawecasaw, or Black Hoff, his x mark,
Auon asechla, or Civil Man, his x mark,
Isaac Peters, his x mark,

l. s.
l. s.
l. s.
l. s.

In presence of

Wm. Dean, C. F. L. C.

J. B. Mower,

Jasper Parrish,

Whitmore Knaggs,

William Walker,

Israel Ruland,

E. Brush.

} *interpreters.*

No. 7. Articles of a treaty made and entered into, at Grouseland, near Vincennes, in the Indiana territory, by and between William Henry Harrison, governor of said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for treating with the northwestern tribes of Indians, of the one part, and the tribes of Indians, called the Delawares, Pattawatimas, Miamis, Eel Rivers, and Weas, jointly and severally, by their chiefs and head men, of the other part.

Art. 1. Whereas, by the fourth article of a treaty made between the United States and the Delaware tribe, on the eighteenth day of August, eighteen hundred and four, the said United States engaged to consider the said Delawares as the proprietors of all that tract of country which is bounded by the White river on the north, the Ohio and Clark's grant on the south, the general boundary line running from the mouth of Kentucky river on the east, and the tract ceded by the treaty of fort Wayne and the road leading to Clark's grant on the west and southwest. And whereas the Miami tribe, from whom the Delawares derived their claim, contend that, in their cession of said tract to the Delawares, it was never their intention to convey to them the right of the soil, but to suffer them to occupy it as long as they thought proper, the said Delawares have, for the sake of peace and good neighborhood, determined to relinquish their claim to the said tract, and do, by these presents, release the United States from the guarantee made in the before-mentioned article of the treaty of August, eighteen hundred and four.

Reference to the 4th article of the treaty with the Delawares. of 18th August, 1804. See ante, chap. 1, No. 2.

Interfering claims of Miamis and Delawares.

Delawares relinquish their claim, &c.

Art. 2. The said Miami, Eel River, and Wea tribes, cede and relinquish to the United States, forever, all that tract of country which lies to the south of a line to be drawn from the northeast corner of the tract ceded by the treaty of fort Wayne, so as to strike the general boundary line, running from a point opposite to the mouth of the Kentucky river to fort Recovery, at the distance of fifty miles from its commencement on the Ohio river.

Cession by the Miamis, Eel Rivers, and Weas.

Additional annuities to the Miamis, Eel Rivers, Weas, and to the Pattawatimas; and \$1,000 in hand, full compensation, &c.

Art. 3. In consideration of the cession made in the preceding article, the United States will give an additional permanent annuity to said Miamis, Eel River, and Wea tribes, in the following proportions, viz: to the Miamis, six hundred dollars; to the Eel River tribe, two hundred and fifty dollars; to the Weas, two hundred and fifty dollars; and also to the Pattawatimas, an additional annuity of five hundred dollars, for ten years, and no longer; which, together with the sum of four thousand dollars, which is now delivered, the receipt whereof they do hereby acknowledge, is to be considered as a full compensation for the land now ceded.

The United States consider the Miamis, Eel Rivers, and Weas, as joint owners of the lands herein described, &c.

Art. 4. As the tribes which are now called the Miamis, Eel Rivers, and Weas, were formerly, and still consider themselves as one nation, and as they have determined that neither of those tribes shall dispose of any part of the country which they hold in common; in order to quiet their minds on that head, the United States do hereby engage to consider them as joint owners of all the country on the Wabash and its waters, above the Vincennes tract, and which has not been ceded to the United States by this or any former treaty; and they do further engage, that they will not purchase any part of the said country, without the consent of each of the said tribes; provided always, that nothing in this section contained, shall in any manner weaken or destroy any claim which the Kickapoos, who are not represented at this treaty, may have to the country they now occupy on the Vermilion river.

Proviso: as to claim of the Kickapoos, &c.

The right of the Delawares to sell, &c. See ante, ch. 1, No. 2, art.

Art. 5. The Pattawatimas, Miami, Eel River, and Wea tribes, explicitly acknowledge the right of the Delawares to sell the tract of land conveyed to the United States by the treaty of the eighteenth day of August, eighteen hundred and four, which tract was given by the Piankeshaws to the Delawares, about thirty-seven years ago.

Delivery of annuities as heretofore.

Art. 6. The annuities herein stipulated to be paid by the United States, shall be delivered in the same manner, and under the same conditions, as those which the said tribes have heretofore received.

This treaty obligatory as soon as ratified.

Art. 7. This treaty shall be in force and obligatory on the contracting parties, as soon as the same shall have been ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said commissioner plenipotentiary of the United States, and the sachems, chiefs, and head men of the said tribes, have hereunto set their hands and affixed their seals.

Done at Grouseland, near Vincennes, on the twenty-first day of August, in the year eighteen hundred and five, and of the independence of the United States the thirtieth.

William Henry Harrison, 1 s.

DELAWARES.

Hocking Pomakan, his x mark, 1 s.
 Kecklawhenund, or William Anderson, his x mark, 1 s.
 Allime, or White Eyes, his x mark, 1 s.
 Tomague, or Beaver, his x mark, 1 s.

PATTAWATIMAS.

Topanepee, his x mark, 1 s.
 Lishahecon, his x mark, 1 s.
 Wenamech, his x mark, 1 s.

MEAMIS.

Kakonweconner, or Long Legs, his x mark, 1 s.
 Missingguimeschan, or Owl, his x mark, 1 s.
 Wabsier, or White Skin, his x mark, 1 s.
 Mashekanochquah, or Little Turtle, his x mark, 1 s.
 Richardville, his x mark, 1 s.

EEL RIVERS.

Wanonecana, or Night Stander, his x mark, 1 s.
 Metaumuner, or Sam, his x mark, 1 s.
 Archekataub, or Earth, his x mark, 1 s.

WEAS.

Assonnonquah, or Labossiere, his x mark, 1 s.
 Misquaconagua, or Painted Pole, his x mark, 1 s.
 Ohequanah, or Little Eyes, his x mark, 1 s.

DELAWARES.

Missenewand, or Captain Bullet, his x mark, 1 s.

Done in the presence of

B. Parke, *secretary to the commissioner,*
 John Gibson, *secretary Indiana territory,*
 John Griffin, *a judge of the Indiana territory,*
 B. Chambers, *president of the council,*
 Jesse B. Thomas, *speaker of the House of Representatives,*
 John Rice Jones,
 Saml. Gwathmey, } *members of the legislative council, Indiana territory,*
 Pierre Menard,
 Davis Floyd,
 Shadrach Bond, } *members of the House of Representatives, Indiana territory,*
 William Biggs,
 John Johnson,
 W. Wells, *agent of Indian affairs,*
 Vigo, *colonel of Knox county militia,*
 John Conner,
 Joseph Barront, } *sworn interpreters.*

ADDITIONAL ARTICLE.

It is the intention of the contracting parties, that the boundary line herein directed to be run, from the northeast corner of the Vincennes tract to the boundary line running from the mouth of the Kentucky river, shall not cross the Embarrass or Driftwood fork of White river; but if it should strike the said fork, such an alteration in the direction of the said line is to be made, as will leave the whole of the said fork in the Indian territory. Boundary line, (ante, art. 2, of this treaty,) not to cross the Driftwood fork of White river, &c.

Treaty with
the Ottawas,
Chippewas,
&c.

No. 8. Articles of a treaty made at Detroit, this seventeenth day of November, in the year of our Lord one thousand eight hundred and seven, by William Hull, governor of the territory of Michigan, and superintendent of Indian affairs, and sole commissioner of the United States, to conclude and sign a treaty or treaties, with the several nations of Indians northwest of the river Ohio, on the one part, and the sachems, chiefs, and warriors of the Ottawa, Chippewa, Wyandot, and Pattawatima nations of Indians, on the other part.

This treaty to
confirm and
perpetuate
friendship, &c.

To confirm and perpetuate the friendship, which happily subsists between the United States and the nations aforesaid, to manifest the sincerity of that friendship, and to settle arrangements mutually beneficial to the parties; after a full explanation and perfect understanding, the following articles are agreed to, which, when ratified by the president, by and with the advice and consent of the Senate of the United States, shall be binding on them, and the respective nations of Indians.

Treaty binding
when ratified.

The United
States to pay
money and
goods. See
below, art. 2.

Art. 1. The sachems, chiefs, and warriors, of the nations aforesaid, in consideration of money and goods, to be paid to the said nations, by the government of the United States, as hereafter stipulated; do hereby agree to cede, and forever quit claim, and do, in behalf of their nations, hereby cede, relinquish, and forever quit claim, unto the said United States, all right, title, and interest, which the said nations now have, or claim, or ever had, or claimed, in, or unto, the lands comprehended within the following described lines and boundaries: beginning at the mouth of the Miami river of the lakes, and running thence up the middle thereof, to the mouth of the great Auglaize river, thence running due north, until it intersects a parallel of latitude, to be drawn from the outlet of lake Huron, which forms the river Sinclair; thence running northeast, the course that may be found will lead in a direct line to White Rock, in lake Huron, thence due east, until it intersects the boundary line between the United States and Upper Canada,* in said lake, thence southwardly, following the said boundary line down said lake, through river Sinclair, lake Sinclair, and the river Detroit, into lake Erie, to a point due east of the aforesaid Miami river, thence west to the place of beginning.

The nations,
parties hereto,
cede lands,
&c.

Lines and
boundaries of
the lands ceded.

[* See the definitive treaty of peace, 1st vol. Laws U. S. art. 2, page 203.]

The United
States to pay
\$10,000 in
money, goods,
&c.

Art. 2. It is hereby stipulated and agreed on the part of the United States, as a consideration for the lands ceded by the nations aforesaid in the preceding article, that there shall be paid to the said nations, at Detroit, ten thousand dollars, in money, goods, implements of husbandry, or domestic animals, (at the option of the said nations, seasonably signified through the superintendent of Indian affairs residing with the said nations, to the department of war,) as soon as practicable, after the ratification of the treaty by the president, with the advice and consent of the senate of the United States; of this sum,

Amount to be
paid to each
nation, party
to this treaty.

three thousand three hundred and thirty-three dollars thirty-three cents and four mills shall be paid to the Ottawa nation; three thousand three hundred and thirty-three dollars thirty-

three cents and four mills to the Chippewa nation; one thousand six hundred sixty-six dollars sixty-six cents and six mills to the Wyandot nation; one thousand six hundred sixty-six dollars sixty-six cents and six mills to the Pattawatima nation; and likewise an annuity forever, of two thousand four hundred dollars, to be paid at Detroit, in manner as aforesaid: the first payment to be made on the first day of September next, and to be paid to the different nations in the following proportions: eight hundred dollars to the Ottawas, eight hundred dollars to the Chippewas, four hundred dollars to the Wyandots, and four hundred dollars to such of the Pattiwatimas as now reside on the river Huron of lake Erie, the river Raisin, and in the vicinity of the said rivers.

Annuity forever, of \$2,400, &c.: Proportion of annuity to each nation:

Art. 3. It is further stipulated and agreed, if at any time hereafter the said nations should be of the opinion that it would be more for their interest, that the annuity aforesaid should be paid by instalments, the United States will agree to a reasonable commutation for the annuity, and pay it accordingly.

Annuity may be paid by instalments, &c.

Art. 4. The United States, to manifest their liberality and disposition to encourage the said Indians in agriculture, further stipulate to furnish the said Indians with two blacksmiths, one to reside with the Chippewas, at Saguina, and the other to reside with the Ottawas, at the Miami, during the term of ten years; said blacksmiths are to do such work for the said nations, as shall be most useful to them.

The United States to furnish two blacksmiths, for ten years, &c.

Art. 5. It is further agreed and stipulated, that the said Indian nations shall enjoy the privilege of hunting and fishing on the lands ceded as aforesaid, as long as they remain the property of the United States.

The Indians may hunt and fish on the lands ceded, whilst the property of the U. S.

Art. 6. It is distinctly to be understood, for the accommodation of the said Indians, that the following tracts of land within the cession aforesaid, shall be, and hereby are, reserved to the said Indian nations: one tract of land six miles square, on the Miami of lake Erie, above Roche de Boeuf, to include the village where Tondaganie (or the Dog) now lives. Also, three miles square on the said river, (above the twelve miles square ceded to the United States by the treaty of Greenville,*) including what is called Presque Isle; also, four miles square on the Miami bay, including the villages where Meshkemau and Waugau now live; also, three miles square on the river Raisin, at a place called Macon, and where the river Macon falls into the river Raisin, which place is about fourteen miles from the mouth of said river Raisin; also, two sections of one mile square each, on the river Rouge, at Seginsavin's village; also, two sections of one mile square each, at Tonquish's village, near the river Rouge; also, three miles square on lake St. Clair, above the river Huron, to in-

Tracts reserved to the Indians.

(*Ante, No. 3, art. 3, of this chapter.)

Reservations
may be laid
out in paral-
lelograms, or
other figures,
&c.

Not to inter-
fere with im-
provements of
whites, &c.

The nations
under protec-
tion of the
United States,
&c.

clude Machonee's village ; also, six sections, each section containing one mile square, within the cession aforesaid, in such situations as the said Indians shall elect, subject, however, to the approbation of the president of the United States, as to the places of location. It is further understood and agreed, that whenever the reservations cannot conveniently be laid out in squares, they shall be laid out in parallelograms, or other figures, as found most practicable and convenient, so as to contain the area specified in miles ; and in all cases they are to be located in such manner, and in such situations, as not to interfere with any improvements of the French or other white people, or any former cessions.

Art. 7. The said nations of Indians acknowledge themselves to be under the protection of the United States, and no other power, and will prove by their conduct that they are worthy of so great a blessing.

In testimony whereof, the said William Hull, and the sachems and war chiefs representing the said nations, have hereunto set their hands and seals.

Done at Detroit, in the territory of Michigan, the day and year first above written.

William Hull,

l. s.

CHIPPEWAS.

Peewanshememogh, his x mark,	l. s.
Mamaushegauta, or Bad Legs, his x mark,	l. s.
Pooquigauboawie, his x mark,	l. s.
Kiosk, his x mark,	l. s.
Poquaquet, or the Ball, his x mark,	l. s.
Segangewan, his x mark,	l. s.
Quitichonequit, or Big Cloud, his x mark,	l. s.
Quiconquish, his x mark,	l. s.
Pucknese, or the Spark of Fire, his x mark,	l. s.
Negig, or the Otter, his x mark,	l. s.
Measita, his x mark,	l. s.
Macquettequet, or Little Bear, his x mark,	l. s.
Nemekas, or Little Thunder, his x mark,	l. s.
Sawanabenase, or Pechegabua, or Grand Blanc, his x mark,	l. s.
Tonquish, his x mark,	l. s.
Miott, his mark,	l. s.
Meuetugesheck, or the Little Cedar, his x mark,	l. s.

OTTOWAS.

Aubauway, his x mark,	l. s.
Kawachewan, his x mark,	l. s.
Sawgamaw, his x mark,	l. s.
Ogouse, his x mark,	l. s.
Wasagashick, his x mark,	l. s.

PATTAWATIMAS.

Toquish, his x mark,	l. s.
Noname, his x mark,	l. s.
Nawme, his x mark,	l. s.
Ninnewa, his x mark,	l. s.
Skush, his x mark,	l. s.

WYANDOTS.

Skahomet, his x mark,
 Miere, or Walk in the Water, his x mark,
 Iyonayotaba, his x mark,

l. a.
 l. a.
 l. a.

In presence of

George McDougall, *chief judge Ct. D. H. and D.*
 C. Rush, *attorney general,*
 Jacob Vinger, *associate judge of the D. Court,*
 Jos. Watson, *secretary to the legislature of Michigan,*
 Abijah Hull, *surveyor for Michigan territory,*
 Harris H. Hickman, *counsellor at law,*
 Abraham Fuller Hull, *counsellor at law and secretary to the commission,*
 Whitmore Knaggs, }
 William Walker, } *sworn interpreters.*

No. 9. Articles of a treaty made and concluded at Brownstown, in the territory of Michigan, between William Hull, governor of the said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States of America, for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the river Ohio, of the one part, and the sachems, chiefs, and warriors of the Chippewa, Ottawa, Pattawatima, Wyandot, and Shawance nations of Indians, of the other part.

Treaty with
the Chip-
pewas, Otta-
was, &c.

Art. 1. Whereas, by a treaty concluded at Detroit, on the seventeenth day of November, in the year of our Lord one thousand eight hundred and seven, a tract of land lying to the west and north of the river Miami, of lake Erie, and principally within the territory of Michigan, was ceded by the Indian nations to the United States;* and whereas the lands lying on the southeastern side of the said river Miami, and between said river, and the boundary lines established by the treaties of Greenville and fort Industry, with the exception of a few small reservations to the United States, still belong to the Indian nations, so that the United States cannot, of right, open and maintain a convenient road from the settlements in the state of Ohio to the settlements in the territory of Michigan, nor extend those settlements so as to connect them; in order therefore to promote this object, so desirable and evidently beneficial to the Indian nations, as well as to the United States, the parties have agreed to the following articles, which, when ratified by the president of the United States, by and with the advice and consent of the senate thereof, shall be reciprocally binding.

Reference to
the treaty of
Detroit.

(*See ante,
No. 8, art. 1,
of this chap-
ter.)

Difficulties in
opening a
road from
Ohio to Mi-
chigan, &c.

Treaty, when
ratified, to be
binding.

Art. 2. The several nations of Indians aforesaid, in order to promote the object mentioned in the preceding article, and in consideration of the friendship they bear towards the United States, for the liberal and benevolent policy which has been practised towards them by the government thereof, do hereby give, grant, and cede, unto the said United States, a tract of land for a road, of one hundred and twenty feet in width, from

The Indian
nations cede
a tract of land
for a road
from the foot
of the rapids
of the Miami
of lake Erie to

the western
line of the
Connecticut
Reserve, &c.

Another tract
for a road.

† Ante, No.
3, art. 8, of
this chapter.

The lines of
the lands ce-
ded, to be run
as the presi-
dent may
deem most
advisable.

The Indians
may hunt, &c.
on the ceded
lands, &c.

The nations
under the sole
protection of
the United
States,

the foot of the rapids of the river Miami of lake Erie to the western line of the Connecticut Reserve, and all the land within one mile of the said road, on each side thereof, for the purpose of establishing settlements along the same; also, a tract of land, for a road only, of one hundred and twenty feet in width, to run southwardly from what is called Lower Sandusky, to the boundary line established by the treaty of Greenville,* with the privilege of taking, at all times, such timber and other materials from the adjacent lands, as may be necessary for making and keeping in repair the said road, with the bridges that may be required along the same.

Art. 3. It is agreed, that the lines embracing the lands given and ceded by the preceding article, shall be run in such directions as may be thought most advisable by the president of the United States, for the purposes aforesaid.

Art. 4. It is agreed the said Indian nations shall retain the privilege of hunting and fishing on the lands given and ceded as above, so long as the same shall remain the property of the United States.

Art. 5. The several nations of Indians aforesaid, do again acknowledge themselves to be under the protection of the United States, and of no other sovereign; and the United States, on their part, do renew their covenant to extend protection to them according to the intent and meaning of stipulations in former treaties.*

Done at Brownstown, in the territory of Michigan, this 25th day of November, in the year of our Lord one thousand eight hundred and eight, and of the independence of the United States of America the thirty-third.

William Hull, *commissioner.*

l. s.

CHIPPEWAS.

Nemecas, or Little Thunder, his x mark,

l. s.

Puckanese, or Spark of Fire, his x mark,

l. s.

Macquettequet, or Little Bear, his x mark,

l. s.

Shimnanaquette, his x mark,

l. s.

OTTAWAS.

Kewachewan, his x mark,

l. s.

Tondagane, his x mark,

l. s.

PATAWATIMAS.

Mogau, his x mark,

l. s.

Wapneme, or White Pigeon, his x mark,

l. s.

Mache, his x mark,

l. s.

WYANDOTS.

Miere, or Walk in the Water, his x mark,

l. s.

Iyonayotaha, or Joe, his x mark,

l. s.

Skahomet, or Black Chief, his x mark,

l. s.

Adam Brown,

l. s.

* See the several treaties of this chapter. Ante.

SHAWANEES.

Makatewekasha, or Black Hoof, his x mark, l. s.
 Koitawaypie, or Col. Lewis, his x mark, l. s.

Executed, after having been fully explained and understood, in presence of
 Reuben Attwater, *secretary of the territory Michigan,*
 James Witherill, *a judge of Michigan territory,*
 Jacob Visger, *judge of the district court,*
 Jos. Watson, *secretary L. M. T.*

Wm. Brown,
 B. Campen,
 Lewis Bond, } *as to the Ottawa chiefs,*
 A. Lyons, }
 Whitmore Knaggs, }
 William Walker, } *sworn interpreters.*
 P. Duchonquet, }
 Samuel Saunders, }

Attest,

HARRIS HAMPDEN HICKMAN,

Secretary to the commission.

No. 10. A treaty between the United States of America, and the tribes of Indians called the Delawares, Pattawatimas, Miamis, and Eel River Miamis.

Treaty with the Delawares, Pattawatimas, &c.

James Madison, president of the United States, by William Henry Harrison, governor and commander in chief of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for treating with the said Indian tribes, and the sachems, head men, and warriors, of the Delaware, Pattawatima, Miami, and Eel River tribes of Indians, have agreed and concluded upon the following treaty; which, when ratified by the said president, with the advice and consent of the senate of the United States, shall be binding on said parties. This treaty, when ratified, to be binding.

Art. 1. The Miami and Eel River tribes, and the Delawares and Pattawatimas, as their allies, agree to cede to the United States all that tract of country which shall be included between the boundary line established by the treaty of fort Wayne,* the Wabash, and a line to be drawn from the mouth of a creek called Racoon creek, emptying into the Wabash, on the southeast side, about twelve miles below the mouth of the Vermilion river, so as to strike the boundary line established by the treaty of Grouseland,† at such a distance from its commencement, at the northeast corner of the Vincennes tract, as will leave the tract now ceded thirty miles wide at the narrowest place. And also all that tract which shall be included between the following boundaries, viz: beginning at fort Recovery, thence southwardly along the general boundary line established by the treaty of Greenville,‡ to its intersection with the boundary line established by the treaty of Grouseland; thence along said line to a point, from which a line, drawn parallel to the first mentioned

The tribes cede a tract of country herein described.

(* See ante, No. 4, art. 1 and 5, of this chapter.)

(† Ante, No. 7, art. 2, of this chapter.)

(‡ Ante, No. 3, art. 3, of this chapter.)

line, will be twelve miles distant from the same, and along the said parallel line to its intersection with a line to be drawn from fort Recovery, parallel to the line established by the said treaty of Grouseland.

The Miami acknowledge the equal right of the Delawares to the country watered by the White river, &c.

Annuities, as compensation for the cession made.

Stipulations of Greenville to apply.

(§ See ante, No. 3, art. 4 and 7, of this chapter.)

The consent of the Wea tribe necessary, &c. See post, chap. 13, No. 1.

Annuities and \$5,200 worth of goods full compensation.

Depredations upon cattle, horses, &c. to be put an end to, by deductions from annuities, &c.

The United States partial-

Art. 2. The Miamis explicitly acknowledge the equal right of the Delawares with themselves to the country watered by the White river. But it is also to be clearly understood, that neither party shall have the right of disposing of the same without the consent of the others; and any improvements which shall be made on the said land by the Delawares, or their friends the Mochecans, shall be theirs forever.

Art. 3. The compensation to be given for the cession made in the first article, shall be as follows, viz: to the Delawares, a permanent annuity of five hundred dollars; to the Miamis, a like annuity of five hundred dollars; to the Eel River tribe, a like annuity of two hundred and fifty dollars; and to the Patawatimas, a like annuity of five hundred dollars.

Art. 4. All the stipulations made in the treaty of Greenville, relatively to the manner of paying the annuities, and the right of the Indians to hunt upon the land, shall apply to the annuities granted, and the land ceded, by the present treaty. §

Art. 5. The consent of the Wea tribe shall be necessary to complete the title to the first tract of land here ceded; a separate convention shall be entered into between them and the United States, and a reasonable allowance of goods given them in hand, and a permanent annuity, which shall not be less than three hundred dollars, settled upon them.

Art. 6. The annuities promised by the third article, and the goods now delivered to the amount of five thousand two hundred dollars, shall be considered as a full compensation for the cession made in the first article.

Art. 7. The tribes who are parties to this treaty, being desirous of putting an end to the depredations which are committed by abandoned individuals of their own color, upon the cattle, horses, &c. of the more industrious and careful, agree to adopt the following regulations, viz: when any theft or other depredation shall be committed by any individual or individuals of one of the tribes abovementioned, upon the property of any individual or individuals of another tribe, the chiefs of the party injured shall make application to the agent of the United States, who is charged with the delivery of the annuities of the tribe to which the offending party belongs, whose duty it shall be to hear the proofs and allegations on either side, and determine between them: and the amount of his award shall be immediately deducted from the annuity of the tribe to which the offending party belongs, and given to the person injured, or to the chief of his village for his use.

Art. 8. The United States agree to relinquish their right to the reserve, at the old Ouroctenon towns, made by the treaty of

Greenville,* so far, at least, as to make no further use of it than for the establishment of a military post.

Art. 9. The tribes who are parties to this treaty, being desirous to show their attachment to their brothers the Kickapoos, agree to cede to the United States the lands on the northwest side of the Wabash, from the Vincennes tract to a northwardly extension of the line running from the mouth of the aforesaid Racoon creek, and fifteen miles in width from the Wabash, on condition that the United States shall allow them an annuity of four hundred dollars. But this article is to have no effect unless the Kickapoos will agree to it.†

ly relinquish
a reserve.

Lands ceded
to procure the
Kickapoos an
annuity of
\$400, &c.

(† See post,
chap. 14, No.
1.)

In testimony whereof, the said William Henry Harrison, and the sachems and war chiefs of the beforementioned tribes, have hereunto set their hands and affixed their seals, at fort Wayne, this thirtieth of September, eighteen hundred and nine.

William Henry Harrison,

l. s.

DELAWARES.

Anderson, for Hockingpomakon, who is absent, his x mark,

l. s.

Anderson, his x mark,

l. s.

Petchekekapon, his x mark,

l. s.

The Beaver, his x mark,

l. s.

Captain Killbuck, his x mark,

l. s.

PATAWATIMAS.

Winemac, his x mark,

l. s.

Five Medals, by his son, his x mark,

l. s.

Mogawgo, his x mark,

l. s.

Shissabecon, for himself and his brother Tuthinipee, his x mark,

l. s.

Ossmeet, brother to Five Medals, his x mark,

l. s.

Nanousekah, Penamo's son, his x mark,

l. s.

Messer, his x mark,

l. s.

Chequinimo, his x mark,

l. s.

Sackanackahut, his x mark,

l. s.

Conengee, his x mark,

l. s.

MIAMIS.

Pucan, his x mark,

l. s.

The Owl, his x mark,

l. s.

Meshekenoghqua, or the Little Turtle, his x mark,

l. s.

Wapemangua, or the Loon, his x mark,

l. s.

Silver Heels, his x mark,

l. s.

Shawapenomo, his x mark,

l. s.

EEL RIVERS.

Charley, his x mark,

l. s.

Sheshangomequah, or Swallow, his x mark,

l. s.

The young Wyandot, a Miami of Elk Hart, his x mark,

l. s.

In presence of

Peter Jones, secretary to the commissioner,

John Johnston, Indian agent,

A. Heald, capt. the United States' army,

A. Edwards, surgeon's mate,

* See ante, No. 3, art. 3, of this chapter.

Ph. Ostrander, *lieut. United States' army*,
 John Shaw,
 Stephen Johnston,
 J. Hamilton, *sheriff of Dearborn county*,
 Hendrick Aupaumut,
 William Wells,
 John Conner,
 Joseph Barron,
 Abraham Ash,

} sworn interpreters.

Treaty between the United States and the Miamis and Eel Rivers.

No. 11. A separate article entered into at fort Wayne, on the thirtieth day of September, in the year of our Lord one thousand eight hundred and nine, between William Henry Harrison, commissioner plenipotentiary of the United States for treating with the Indian tribes, and the sachems and chief warriors of the Miami and Eel River tribes of Indians, which is to be considered as forming part of the treaty this day concluded between the United States and the said tribes, and their allies the Delawares and Pattawatimas.

As the greater part of the lands ceded to the United States, by the treaty this day concluded,* was the exclusive property of the Miami nation, and guaranteed to them by the treaty of Grouseland,† it is considered by the said commissioner, just

(*See the preceding treaty No. 10, art. 1.)

(† Ante, No. 7, art. 4, of this chapter.)

Further compensation to the Miamis, in domestic animals, to the amount of \$1,500: armory, &c.

Further permanent annuity to the Miamis of \$200, if the Kickapoos confirm, &c. and \$100 to the Weas and Eel Rivers, each.

and reasonable that their request, to be allowed some further and additional compensation, should be complied with. It is, therefore, agreed, that the United States shall deliver for their use, in the course of the next spring, at fort Wayne, domestic animals to the amount of five hundred dollars, and the like number for the two following years, and that an armory shall be also maintained at fort Wayne, for the use of the Indians, as heretofore. It is also agreed, that if the Kickapoos confirm the ninth article of the treaty to which this is a supplement,‡ the United States will allow to the Miamis a further permanent annuity of two hundred dollars, and to the Wea and Eel River tribes a further annuity of one hundred dollars each.

In testimony whereof, the said William Henry Harrison, and the sachems and war chiefs of the said tribes, have hereunto set their hands and affixed their seals, the day and place abovementioned.

William Henry Harrison,	l. s.
Charley, an Eel River, his x mark,	l. s.
Pacan, his x mark,	l. s.
Sheshauquoquah, or Swallow, an Eel River, his x mark,	l. s.
The young Wyandot, a Miami or Elk Hart, his x mark,	l. s.
Shywhbeanomo, his x mark,	l. s.

MIAMIS.

The Owl, his x mark,	l. s.
Wafremanqua, or the Loon, his x mark,	l. s.
Muashekeoughqua, or the Little Turtle, his x mark,	l. s.
Silver Heels, his x mark,	l. s.

‡ See the confirmation of the ninth article of the treaty of fort Wayne, by the Kickapoos, chap. 14, No. 1.

In presence of

Peter Jones, *secretary to the commissioner,*
Joseph Barron,
A. Edwards,
William Wells,
John Shaw.

No. 12. A treaty of peace and friendship between the United States of America, and the tribes of Indians, called the Wyandots, Delawares, Shawanees, Senekas, and Miamis. Treaty with the Wyandots, &c.

The said United States of America, by William Henry Harrison, late a major general in the army of the United States, and Lewis Cass, governor of the Michigan territory, duly authorized and appointed commissioners for the purpose, and the said tribes, by their head men, chiefs, and warriors, assembled at Greenville, in the state of Ohio, have agreed to the following articles; which, when ratified by the president of the United States, by and with the advice and consent of the senate thereof, shall be binding upon them and the said tribes: Treaty, when ratified, to be binding.

Art. 1. The United States and the Wyandots, Delawares, Shawanees, and Senekas, give peace to the Miami nation of Indians, formerly designated as the Miami, Eel River, and Wea tribes; they extend this indulgence also, to the bands of the Pattawatimas, which adhere to the grand sachem Tobinipee, and to the chief Onoxa; to the Ottawas of Blanchard's creek, who have attached themselves to the Shawanees tribe, and to such of the said tribe as adhere to the chief called the Wing, in the neighborhood of Detroit, and to the Kickapoos, under the direction of the chiefs who sign this treaty. Peace to the Miami nation, &c.

Art. 2. The tribes and bands abovementioned, engage to give their aid to the United States, in prosecuting the war against Great Britain and such of the Indian tribes as still continue hostile, and to make no peace with either, without the consent of the United States. The tribes to aid the United States against Great Britain, &c.

The assistance herein stipulated for, is to consist of such a number of their warriors, from each tribe, as the president of the United States, or any officer having his authority therefor, may require.

Art. 3. The Wyandot tribe, and the Senekas of Sandusky and Stoney creek, the Delaware and Shawanees tribes, who have preserved their fidelity to the United States throughout the war, again acknowledge themselves under the protection of the said states, and of no other power whatever, and agree to aid the United States in the manner stipulated for in the former article, and to make no peace but with the consent of the said states. The Wyandots, &c. under the protection of the United States, to aid, &c.

In case of fidelity, former boundary to be confirmed, &c.

Art. 4. In the event of a faithful performance of the conditions of this treaty, the United States will confirm and establish all the boundaries between their lands, and those of the Wyandots, Delawares, Shawanees, and Miamis, as they existed previously to the commencement of the war.*

In testimony whereof, the said commissioners, and the said head men, chiefs, and warriors, of the beforementioned tribes of Indians, have hereunto set their hands and affixed their seals.

Done at Greenville, in the state of Ohio, this twenty-second day of July, in the year of our Lord one thousand eight hundred and fourteen, and of the independence of the United States the thirty-ninth.

Willm. Henry Harrison,
Lewis Cass,

l. s.
l. s.

WYANDOTS.

Tarhe, or Crane, his x mark,
Harroneyough, or Cherokee Boy, his x mark,
Tearroneauou, or between the Legs, his x mark,
Menoucou, his x mark,
Rusharra, or Stookey, his mark,
Senoshua, his x mark,
Zashuona, or Big Arm, his x mark,
Teanduttasooch, or Punch, his x mark,
Tapuksough, or John Hicks, his x mark,
Ronoinness, or Sky come down, his x mark,
Teendoo, his x mark,
Ronaiis, his x mark,
Omaintsiarnah, or Bowyers, his x mark,

l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.

DELAWARES.

Taiunshrah, or Charles, his x mark,
Tiundraka, or John Boleale, his x mark,
Eroneniarah, or Shronesch, his x mark,
Kicktohenina, or captain Anderson, his x mark,
Lemottenuckques, or James Nanticoke, his x mark,
Laoponnichle, or Baube, his x mark,
Joon Queake, or John Queake, his x mark,
Kill Buck, his x mark,
Neachcomingd, his x mark,
Montgomery Montawe, his x mark,
Capt. Buck, his x mark,
Hooque, or Mole, his x mark,
Captain White Eyes, his x mark,
Captain Pipe, his x mark,
McDaniel, his x mark,
Captain Snap, his x mark,

l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.

SHAWANEES.

Cutewecusa, or Black Hoof, his x mark,
Tamenetha, or Butter, his x mark,
Piascka, or Wolf, his x mark,
Pomtha, or Walker, his x mark,
Shammonetho, or Snake, his x mark,

l. s.
l. s.
l. s.
l. s.
l. s.

[*Note. The three first names under the "Delawares," in these signatures, are "Wyandots." This error arose from a mistake in the copy, and was not detected in time for correction. The signatures of the "Delawares," begin at "Kicktohenina."]

* With Great Britain.

Pemthata, or Turkey flying by, his x mark,	l. a.
Wethawakasika, or Yellow Water, his x mark,	l. a.
Quetawah, Sinking, his x mark,	l. a.
Sokutchemah, or Frozen, his x mark,	l. a.
Wynepuechsika, or Corn Stalk, his x mark,	l. a.
Chiaschka, or captain Tom, his x mark,	l. a.
Quitawepeh, or captain Lewis, his x mark,	l. a.
Teawaskoota, or Blue Jacket, his x mark,	l. a.
Tacomtequah, or Cross the water, his x mark,	l. a.

OTTAWAS.

Watahnews, or Bear's Legs, his x mark,	l. a.
Wapachek, or White Fisher, his x mark,	l. a.
Tootagen, or Bell, his x mark,	l. a.
Aughquanahquose, or Stumptail Bear, his x mark,	l. a.
Meokenuh, or Bear King, his x mark,	l. a.

SENEKAS.

Coontindnau, or Coffee Houn, his x mark,	l. a.
Togwon, his x mark,	l. a.
Endosquierunt, or John Harris, his x mark,	l. a.
Cantareteroo, his x mark,	l. a.
Cuntahtentuhwa, or Big Turtle, his x mark,	l. a.
Renonnesa, or Wiping Stick, his x mark,	l. a.
Corachcoonke, or Reflection, or Civil John, his x mark,	l. a.
Coonautanahtoo, his x mark,	l. a.
Secistahe, Black, his x mark,	l. a.
Tootecandee, Thomas Brand, his x mark,	l. a.
Haneusewa, his x mark,	l. a.
Uttawuntus, his x mark,	l. a.
Lutanqueson, his x mark,	l. a.

MIAMIS.

Pecon, his x mark,	l. a.
Lapasine, or Ashenonquah, his x mark,	l. a.
Osage, his x mark,	l. a.
Natoweesa, his x mark,	l. a.
Meshekeleata, or the Big man, his x mark,	l. a.
Sanamahhonga, or Stone Eater, his x mark,	l. a.
Neshepehtah, or Double Tooth, his x mark,	l. a.
Metosania, or Indian, his x mark,	l. a.
Chequia, or Poor Raccoon, his x mark,	l. a.
Wapepecheka, his x mark,	l. a.
Chingomega Eboo, or Owl, his x mark,	l. a.
Kewesackong, or Circular Travelling, his x mark,	l. a.
Wapasabanah, or White Raccoon, his x mark,	l. a.
Chekemetine, or Turtle's Brother, his x mark,	l. a.
Pocondoqua, or Crooked, his x mark,	l. a.
Chequeah, or Poor Raccoon, a Wea, or Little Eyes, his x mark,	l. a.
Showilingeshua, or Open Hand, his x mark,	l. a.
Okawea, or Porcupine, his x mark,	l. a.
Shawano, his x mark,	l. a.
Mawanea, or Young Wolf, his x mark,	l. a.
Meshwawa, or Wounded, his x mark,	l. a.
Sangwecomya, or Buffalo, his x mark,	l. a.
Pequia, or George, his x mark,	l. a.
Keelswa, or Sun, his x mark,	l. a.
Wabsea, or White Skin, his x mark,	l. a.
Wansepa, or Sunrise, his x mark,	l. a.
Angatoka, or Pile of Wood, his x mark,	l. a.

PATTAWATIMAS.

Toopinnepe, his x mark,	l. a.
-------------------------	-------

Onoxa, or Five Medals, his x mark,	l. s.
Metea, his x mark,	l. s.
Conge, or Bear's foot, his x mark,	l. s.
Nanownseca, his x mark,	l. s.
Chagobbe, or One who sees all over, his x mark,	l. s.
Meshon, his mark,	l. s.
Penosh, his x mark,	l. s.
Checanoc, his x mark,	l. s.
Neshcootawa, his x mark,	l. s.
Tonguish, his x mark,	l. s.
Nebaughkua, his x mark,	l. s.
Wesnanesa, his x mark,	l. s.
Chechock, or Crane, his x mark,	l. s.
Kepoota, his x mark,	l. s.
Mackoota, or Crow, his x mark,	l. s.
Papeketcha, or Flat Belly, his x mark,	l. s.

KICKAPOOS.

Ketoote, or Otter, his x mark,	l. s.
Makotanecote, or Black Tree, his x mark,	l. s.
Sheshopa, or Duck, his x mark,	l. s.
Wapekonnia, or White Blanket, his x mark,	l. s.
Acouche, or the Man Hung, his x mark,	l. s.
Chekaskagalon, his x mark,	l. s.

In presence of, the words "and the Wyandots, Delaware, Shawanees, and Senecaa," interlined in the first article before signing,

James Dill, *secretary to the commissioners,*

Jno. Johnston, *Indian agent,*

B. F. Stickney, *Indian agent,*

James J. Nisbet, *associate judge of court of common pleas, Preble county,*

Thos. G. Gibson,

Antoine Boindi,

Wm. Walker,

William Conner,

J. Bta. Chandonnai,

Stephen Ruddleed,

James Pelteir,

Joseph Bertrand,

Thos. Ramsey, *capt. 1st. rifle regt.*

John Conner,

John Riddle, *col. 1st regt. Ohio militia.*

sworn interpreters.

Treaty with
the Wyandots,
Delawares,
&c.

No. 13. A treaty between the United States of America, and the Wyandot, Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Potawatimie tribes of Indians, residing within the limits of the state of Ohio, and the territories of Indiana and Michigan.

Chippewas,
Ottawas, &c.
have manifest-
ed a disposi-
tion to be re-
stored to rela-
tions of peace,
&c.

Whereas the Chippewa, Ottawa, and Potawatimie tribes of Indians, together with certain bands of the Wyandot, Delaware, Seneca, Shawanoe, and Miami tribes, were associated with Great Britain in the late war between the United States and that power, and have manifested a disposition to be restored to the relations of peace and amity with the said states; and the president of the United States having appointed William Henry Harrison, late a major-general in the service of the United States, Duncan M'Arthur, late a brigadier in the service of the United States, and John Graham, esquire, as commissioners to treat with the

said tribes ; the said commissioners and the sachems, head men and warriors of said tribes having met in council at the Spring Wells, near the city of Detroit, have agreed to the following articles, which, when ratified by the president, by and with the advice and consent of the senate of the United States, shall be binding on them and the said tribes.

Art. 1. The United States give peace to the Chippewa, Ottawa and Potawatamie tribes. United States give peace.

Art. 2. They also agree to restore to the said Chippewa, Ottawa and Potawatamie tribes, all the possessions, rights and privileges which they enjoyed, or were entitled to in the year one thousand eight hundred and eleven, prior to the commencement of the late war with Great-Britain, and the said tribes upon their part, agree, again to place themselves under the protection of the United States, and of no other power whatsoever. Also restore the rights, &c. enjoyed before the late war with Great Britain.

Art. 3. In consideration of the fidelity to the United States which has been manifested by the Wyandot, Delaware, Seneca, and Shawanoe tribes, throughout the late war ; and of the repentance of the Miami tribe, as manifested by placing themselves under the protection of the United States, by the treaty of Greenville in eighteen hundred and fourteen, the said states agree to pardon such of the chiefs and warriors of said tribes, as may have continued hostilities against them until the close of the war with Great-Britain, and to permit the chiefs of their respective tribes, to restore them to the stations and property which they held previously to the war. United States pardon the chiefs and warriors who may have continued in hostility against them, &c.

Art. 4. The United States and the beforementioned tribes or nations of Indians, that is to say, the Wyandot, Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Potawatamies agree to renew and confirm the treaty of Greenville,* made in the year one thousand seven hundred and ninety-five, and all subsequent treaties to which they were, respectively, parties, and the same are hereby again ratified and confirmed in as full a manner as if they were inserted in this treaty. Treaty of Greenville and all subsequent treaties renewed and confirmed.

Done at Spring Wells, the eighth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States, the fortieth.

In testimony whereof, they, the said commissioners, and the sachems, head men and warriors of the different tribes, have hereunto set their hands, and affixed their seals.

William Henry Harrison,
Duncan M'Arthur,
John Grahiam.

WYANDOT CHIEFS.

Tarhee, or the crane, his x mark,
Harrouyeou, or Cherokee boy, his x mark,

* See ante, No. 3, of this chapter, and the numbers which follow, to all of which some one or more of the tribes parties to this treaty, are parties. See also chapter 1, No. 2.

Sanohekee, or long house, his x mark,
 Ontoctutimoh, or cub, his x mark,
 Myecrub, or walk in the water, his x mark,
 Tyanumka, his x mark,
 Mymehamkee, or Barnett, his x mark,

SHAWANOE CHIEFS.

Cutaweakesah, or black hoof, his x mark,
 Nutsheaway, or wolf's brother, his x mark,
 Tamenatha, or butler, his x mark,
 Shemenetoo, or big snake, his x mark,
 Outhowwaheshegath, or yellow plume, his x mark,
 Qautawwepay, or capt. Lewis, his x mark,
 Mishquathree, or capt. Reid, his x mark,
 Tesumtequah, his x mark.

OTTAWA CHIEFS.

Tontegenah, or the dog, his x mark,
 Tashcuygon, or M'Arthur, his x mark,
 Okemas, or little chief, his x mark,
 Nashkemah, his x mark,
 Watahnewah, his x mark,
 Onqunogesh, or ugly fellow, his x mark,
 Menitugawboway, or the devil standing, his x mark,
 Kelystum, or first actor, his x mark.

OTTAWAS FROM MACKINACK.

Kemenechagon, or the bastard, his x mark,
 Karbenequane, or the one who went in front, his x mark.

OTTAWA FROM GRAND RIVER.

Mechেকে, his x mark.

A WINNEBAGO FROM MACKINACK.

Wassachum, or first to start the whites, his x mark.

CHIPPEWA CHIEFS.

Papnescha, or turn round about, his x mark,
 Nowgeschick, or twelve o'clock, his x mark,
 Shamanetoo, or God Almighty, his x mark,
 Wissenesoh, his x mark,
 Cacheonquet, or big cloud, his x mark,
 Pasheskiskaquashcum,
 Menactome, or the little fly, his x mark,
 Enewame, or crow, his x mark,
 Nauaquasoto, his x mark,
 Paanassee, or the bird, his x mark.

DELAWARE CHIEFS.

Toctowayning, or Anderson, his x mark,
 Lamahtanoquez, his x mark,
 Matahoopan, his x mark,
 Asheppan, or the buck, his x mark,
 Jim Killbuck, his x mark,
 Captain Beaver, his x mark,
 M'Donald, his x mark.

SENECA CHIEFS.

Tahammindoyeh, or between words, his x mark,
 Yonundankykueurent, or John Harris, his x mark,
 Masomea, or civil John, his x mark,
 Saccorawstah, or wiping stick, his x mark,

POTAWATAMIE CHIEFS.

Topeeneebec, his x mark,
 Noungeesai, or five medals, his x mark,
 Naynauawsekaw, his x mark,
 Joeconce, his x mark,
 Cocneg, his x mark,
 Ohshawkeebee, his x mark,
 Waineamaygoas, his x mark,
 Meeksawbay, his x mark,
 Mongaw, his x mark,
 Nawnawmee, his x mark,
 Chay Chawk, or the crane, his x mark,
 Wanaunaiskee, his x mark,
 Pashapow, his x mark,
 Honkemani, or the chief, his x mark,
 Neesscatimeneemay, his x mark,
 Ponggeasais, his x mark,
 Nounnawkeskawaw, his x mark,
 Chickawno, his x mark,
 Mitteey, his x mark,
 Measceawee, his x mark,
 Neepoashe, his x mark,
 Kaitchaynee, his x mark,
 Waymeego, or W. H. Harrison, his x mark,
 Louison, his x mark,
 Osheouskeebee, his x mark.

MIAMI CHIEFS.

Pacan, his x mark,
 Singomesha, or the owl, his x mark,
 Totanag, or the butterfly, his x mark,
 Osage, or the neutral, his x mark,
 Wabsioug, or the white skin, his x mark,
 Wapaasabina, or white racoon, his x mark,
 Otteutaqua, or a blower of his breath, his x mark,
 Makatasabina, or black racoon, his x mark,
 Wapeshesa, or white appearance in the water, his x mark,
 Motosamea, or Indian, his x mark,
 Shacanbe, his x mark,
 Shequar, or the poor racoon, his x mark,
 Cartanquar, or the sky, his x mark,
 Okemabenaseh, or the king bird, his x mark,
 Wapenaseme, or the collector of birds, his x mark,
 Mecinnabee, or the setting stone, his x mark,
 Annawba, his x mark,
 Mashepesheewingqua, or Tiger's face, his x mark.

Signed in the presence of

A. L. Langhan, *secretary to the commission*,
 Lewis Cass,
 James Miller, *B. gen. U. S. army*,
 Willoughby Morgan, *maj. U. S. army*,
 A. B. Woodward,
 Hy. B. Brevoort, *late major 45th infantry*,
 John Bidder, *capt. U. S. corps artillery*,
 James May, *J. P.*
 Peter Audrain, *Reg. L. O. D.*
 Jn. K. Walker, *Wyandot interpreter*.
 Francis Jansen,
 James Riley, *interpreter*,
 William Kingg,

Francois Mouton,
 John Kenzie, *interpreter*,
 F. Duchouquet, *U. S. interpreter*, W.
 Louis Bufait, *Indian interpreter*,
 J. Bts. Chandonnai, *interpreter*,
 W. Knaggs,
 Antoine Bondi,
 Jean Bt. Massac, his x mark.

Treaty with
 the Weas and
 Kickapoos.

No. 14. Articles of a treaty made and entered into at fort Harrison, in the Indiana territory, between Benjamin Parke, specially authorized thereto by the president of the United States, of the one part, and the tribes of Indians called the Weas and Kickapoos, by their chiefs and head men, of the other part.

Weas and
 Kickapoos in
 peace with the
 U. S.

Art. The Weas and Kickapoos again acknowledge themselves in peace and friendship with the United States.

Acknowledge
 the treaty of
 Greenville.

Art. 2. The said tribes acknowledge the validity of, and declare their determination to adhere to, the treaty of Greenville,* made in the year seventeen hundred and ninety-five, and all subsequent treaties which they have respectively made with the United States.

Recognize and
 confirm the
 boundary line
 surveyed by
 the U. States,
 of the land on
 and White
 rivers, &c.

Art. 3. The boundary line, surveyed and marked by the United States, of the land on the Wabash and White rivers, ceded in the year eighteen hundred and nine, the said tribes do hereby explicitly recognize and confirm, as having been executed conformably to the several treaties they have made with the United States.

the Wabash
 Kickapoos ac-
 knowledge
 they have ceded all the
 land between
 the aforesaid
 boundary line
 on the N.
 West of the
 Wabash, &c.

Art. 4. The chiefs and warriors of the said tribe of the Kickapoos acknowledge that they have ceded to the United States all that tract of country which lies between the aforesaid boundary line on the north west side of the Wabash—the Wabash, the Vermillion river, and a line to be drawn from the north west corner of the said boundary line, so as to strike the Vermillion river twenty miles in a direct line from its mouth, according to the terms and conditions of the treaty they made with the United States on the ninth day of December, in the year eighteen hundred and nine.†

In testimony whereof, the said Benjamin Parke, and the chiefs and head men of the said tribes, have hereunto set their hands and affixed their seals, at fort Harrison, in the Indiana territory, the fourth day of June, in the year of our Lord, one thousand eight hundred and sixteen.

B. Parke.

WEAS.

Mesauppeekaunga, or Gamlan, his x mark,

* See ante, No. 3, of this chapter, also No. 4, 5, and 7.—also chap. 13, No. 1, and chap. 14, No. 1 and 2.

† See post. chap. 14, No. 1.

Jacco, his x mark,
 Kesanguckamya, or Buffalo, his x mark,
 Chequiha, or Little Eyes, his x mark,
 Mahquakouonga, or Negro Legs, his x mark,
 Pequaih, or George, his x mark,
 Kenokosetah, or Long Body, his x mark,
 Owl, (a Miami) his x mark,
 Mahchekeleatah, or Big Man, (a Miami,) his x mark.

KICKAPOOS.

Shehepah, or Little Duck, his x mark,
 Kaanehkaka, or Drunkard's Son, his x mark,
 Shekonah, or Stone, his x mark,
 Mahquah, or Bear, his x mark,
 Penashee, or Little Turkey, his x mark,
 Mehtahkokeah, or Big Tree, his x mark,
 Mauquasconiah, or Big Tree, his x mark,
 Keetahtey, or Little Otter, his x mark,
 Nepiaceah, or Blackberry, his x mark,
 Pehsqonatah, or Blackberry Flower, his x mark,
 Tecumthens, or Track in Prairie, his x mark.

Done in the presence of

John L. M'Cullough, *secretary to the commission,*
 John T. Chum, *major, commanding fort Harrison,*
 Gab. I. Floyd, *lieutenant United States Army,*
 Th. M'Call, *of Vincennes,*
 Hen. Gilham, *of do.*
 N. B. Bailey, *of do.*
 Geo. C. Copp,
 Michael Brouillet, *interpreter, at fort Harrison.*
 Joseph Barron, *sworn interpreter.*

No. 15. A treaty of peace, friendship, and limits, made and concluded between Ninian Edwards, William Clark, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of said states, of the one part, and the chiefs and warriors of the united tribes of Ottawas, Chippawas, and Potowatomies, residing on the Illinois and Melwackee rivers, and their waters, and on the southwestern parts of Lake Michigan, of the other part.

Treaty with
 the Ottawas,
 Chippawas,
 &c.

Whereas a serious dispute has for some time past existed between the contracting parties relative to the right to a part of the lands ceded to the United States by the tribes of Sacs and Foxes, on the third day of November, one thousand eight hundred and four,* and both parties being desirous of preserving a harmonious and friendly intercourse, and of establishing permanent peace and friendship, have, for the purpose of removing all difficulties, agreed to the following terms:

Dispute has
 existed rela-
 tive to the
 right to lands
 ceded by the
 Sacs and Fox-
 es, and parties
 desirous of
 preserving
 friendly inter-
 course, &c.

Art. 1. The said chiefs and warriors, for themselves and the tribes they represent, agree to relinquish, and hereby do relinquish, to the United States, all their right, claim, and title, to all the land contained in the beforementioned cession of the Sacs and Foxes, which lies south of a due west line from the southern extremity of lake Michigan to the Mississippi river. And they moreover cede to the United States all the land con-

Ottawas, &c.
 relinquish all
 their right to
 the land con-
 tained in the
 cession of the
 Sacs and Fox-
 es before re-
 ferred to; and

* See post. chap. 11, No. 1.

make a further cession to the U. States.

Said tribes to hunt and fish within the limits of the land relinquished and ceded.

The U. States deliver merchandise, and to pay an annuity of \$1000 for 12 years.

The U. States also relinquish all the land in the aforesaid cession of the Sacs and Foxes, which lies north of a due west line, &c. with certain reservations, &c.

The reserved tracts together not to exceed five leagues square.

That peace may be preserved, justice towards each other is to be observed.

tained within the following bounds, to wit: beginning on the left bank of the Fox river of Illinois, ten miles above the mouth of said Fox river; thence running so as to cross Sandy creek, ten miles above its mouth; thence, in a direct line, to a point ten miles north of the west end of the Portage, between Chicago creek, which empties into lake Michigan, and the river Depleines, a fork of the Illinois; thence, in a direct line, to a point on lake Michigan, ten miles northward of the mouth of Chicago creek; thence, along the lake, to a point ten miles southward of the mouth of the said Chicago creek; thence, in a direct line, to a point on the Kankakee, ten miles above its mouth; thence, with the said Kankakee and the Illinois river, to the mouth of Fox river, and thence to the beginning: *Provided, nevertheless,* That the said tribes shall be permitted to hunt and to fish within the limits of the land hereby relinquished and ceded, so long as it may continue to be the property of the United States.

Art. 2. In consideration of the aforesaid relinquishment and cession, the United States have this day delivered to said tribes a considerable quantity of merchandise, and do agree to pay them, annually, for the term of twelve years, goods to the value of one thousand dollars, reckoning that value at the first cost of the goods in the city or place in which they shall be purchased, without any charge for transportation; which said goods shall be delivered to the said tribes at some place on the Illinois river, not lower down than Peoria. And the said United States do moreover agree to relinquish to the said tribes all the land contained in the aforesaid cession of the Sacs and Foxes, which lies north of a due west line, from the southern extremity of lake Michigan to the Mississippi river, except three leagues square at the mouth of the Ouisconsin river, including both banks, and such other tracts, on or near to the Ouisconsin and Mississippi rivers, as the president of the United States may think proper to reserve: *Provided,* That such other tracts shall not in the whole exceed the quantity that would be contained in five leagues square.

Art. 3. The contracting parties, that peace and friendship may be permanent, promise that in all things whatever, they will act with justice and correctness towards each other, and that they will, with perfect good faith, fulfil all the obligations imposed upon them by former treaties.

In witness whereof, the said Ninian Edwards, William Clark, and Auguste Chouteau, commissioners aforesaid, and the chiefs and warriors of the aforesaid tribes, have hereunto subscribed their names and affixed their seals, this twenty-fourth day of August, one thousand eight hundred and sixteen, and of the independence of the United States the forty-first.

Ninian Edwards,
 Wm. Clark,
 Auguste Chouteau,
 Mucketeypokee, or Black Partridge, his x mark,
 Sinnowchewone, by his brother Ignatius, his x mark
 Mucketepennepe, or Black Bird, his x mark,
 Bendegakewa, his x mark,
 Pemasaw, or Walker, his x mark,
 Ottawa,
 Nangesay, alias Stout, his x mark,
 Chamblee, his x mark,
 Cacake, his x mark,
 Shawanoe, his x mark,
 Wapunsy, his x mark,
 Cunnepepy, his x mark,
 Wonesee, his x mark,
 Richeikeming, or Lake, his x mark,
 Cabenaw, his x mark,
 Opaho, his x mark,
 Cowwesaut, his x mark,
 Chekinaka, his x mark,
 Macheweskeaway, his x mark,
 Spanquisee, his x mark,
 Ignatius, his x mark,
 Takaonenece, his x mark,
 Ottawonce, his x mark,
 Tawwaning, or Trader, his x mark,
 Cashahakee, his x mark,
 Nigigwash, his x mark,
 Sheshebungge,
 Mowais, or Little Wolf, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission,*
 R. Graham, *Indian agent for the territory of Illinois,*
 Thomas Forsyth, *Indian agent,*
 J. Maul, *lieutenant 8th regiment of infantry,*
 P. Provenchere, *interpreter of the commissioners,*
 Maurice Blondeaux, *Indian agent,*
 John Ruland.

No. 16. Articles of a treaty made and concluded, at the foot of the Rapids of the Miami of lake Erie, between Lewis Cass and Duncan M^rArthur, commissioners of the United States, with full power and authority to hold conferences, and conclude and sign a treaty or treaties with all or any of the tribes or nations of Indians within the boundaries of the state of Ohio, of and concerning all matters interesting to the United States and the said nations of Indians, on the one part; and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Delaware, Shawnee, Pattawatima, Ottawa, and Chippewa, tribes of Indians.

Art. 1. The Wyandot tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States the lands comprehended within the following lines and boundaries: Beginning at a point on the southern shore of lake Erie, where the present Indian boundary line intersects the same, between

Treaty with the Wyandots, Senecas, Delaware, Shawnees, Pattawatimas, Ottawas, and Chippewas. Fort of the Rapids, &c. Sept. 29th, 1817. Cession of lands by the Wyandots.

(*Ante, No. 3, of this chapter.)

(†Ante, No. 8, of this chapter.)

Cession of lands by the Pattawatimas, Ottawas, and Chippewas.

(‡Ante, No. 8, of this chapter.)

Other tribes accede.

Annual payments to the Wyandots.

Senecas.

Shawanoca.

Pattawatimas.

the mouth of Sandusky bay and the mouth of Portage river ; thence, running south with said line, to the line established in the year one thousand seven hundred and ninety-five, by the treaty of Greenville,* which runs from the crossing place above fort Lawrence to Loramie's store ; thence westerly, with the last mentioned line, to the eastern line of the reserve at Loramie's store ; thence, with the lines of said reserve, north and west, to the northwestern corner thereof ; thence to the northwestern corner of the reserve on the river St. Mary's, at the head of the navigable waters thereof ; thence, east, to the western bank of the St. Mary's river aforesaid ; thence, down on the western bank of the said river, to the reserve at fort Wayne ; thence, with the lines of the last mentioned reserve, easterly and northerly, to the north bank of the river Miami of lake Erie ; thence, down on the north bank of the said river, to the western line of the land ceded to the United States by the treaty of Detroit, in the year one thousand eight hundred and seven ; † thence, with the said line, south, to the middle of said Miami river, opposite the mouth of the Great Auglaize river ; thence, down the middle of said Miami river, and easterly with the lines of the tract ceded to the United States by the treaty of Detroit aforesaid, so far that a south line will strike the place of beginning.

Art. 2. The Pattawatima, Ottawa, and Chippewa tribes of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States the land comprehended within the following lines and boundaries : Beginning where the western line of the state of Ohio crosses the river Miami of lake Erie, which is about twenty-one miles above the mouth of the Great Auglaize river ; thence, down the middle of the said Miami river, to a point north of the mouth of the Great Auglaize river ; thence, with the western line of the land ceded to the United States by the treaty of Detroit, in one thousand eight hundred and seven, ‡ north forty-five miles ; thence, west, so far that a line south will strike the place of beginning ; thence, south, to the place of beginning.

Art. 3. The Wyandot, Seneca, Delaware, Shawanee, Pattawatima, Ottawa, and Chippewa, tribes of Indians accede to the cessions mentioned in the two preceding articles.

Art. 4. In consideration of the cessions and recognitions stipulated in the three preceding articles, the United States agree to pay to the Wyandot tribe, annually, forever, the sum of four thousand dollars, in specie, at Upper Sandusky : To the Seneca tribe, annually, forever, the sum of five hundred dollars, in specie, at Lower Sandusky : To the Shawanee tribe, annually, forever, the sum of two thousand dollars, in specie, at Wapaghkonetta : To the Pattawatima tribe, annually, for the term of fif-

teen years, the sum of one thousand three hundred dollars, in specie, at Detroit: To the Ottawa tribe, annually, for the term of fifteen years, the sum of one thousand dollars, in specie, at Detroit: To the Chippewa tribe, annually, for the term of fifteen years, the sum of one thousand dollars, in specie, at Detroit: To the Delaware tribe, in the course of the year one thousand eight hundred and eighteen, the sum of five hundred dollars, in specie, at Wapaghkonetta, but no annuity: And the United States also agree, that all annuities due by any former treaty to the Wyandot, Shawanee, and Delaware, tribes, and the annuity due by the treaty of Greenville, to the Ottawa and Chippewa tribes, shall be paid to the said tribes, respectively, in specie.

Ottawas.

Chippewas.

Delawares—
no annuity.

Annuities under former treaties.

Art. 5. The schedule hereunto annexed, is to be taken and considered as part of this treaty; and the tracts herein stipulated to be granted to the Wyandot, Seneca, and Shawanee, tribes of Indians, are to be granted for the use of the persons mentioned in the said schedule, agreeably to the descriptions, provisions, and limitations, therein contained.

Schedule a
part of the
treaty.

Art. 6. The United States agree to grant, by patent, in fee simple, to Doanquod, Howoner, Rontondee, Tauyau, Rontayau, Dawatont, Manocue, Tauyaudenton, and Haudauwaugh, chiefs of the Wyandot tribe, and their successors in office, chiefs of the said tribe, for the use of the persons and for the purposes mentioned in the annexed schedule, a tract of land twelve miles square, at Upper Sandusky, the centre of which shall be the place where fort Ferree stands; and also a tract of one mile square, to be located where the chiefs direct, on a cranberry swamp, on Broken Sword creek, and to be held for the use of the tribe.

Grants, in fee
simple, to the
Wyandots.

The United States also agree to grant, by patent, in fee simple, to Tahawmadoyaw, captain Harris, Isahownusay, Joseph Tawgyou, captain Smith, Coffee-house, Running About, and Wipingstick, chiefs of the Seneca tribe of Indians, and their successors in office, chiefs of the said tribe, for the use of the persons mentioned in the annexed schedule, a tract of land to contain thirty thousand acres, beginning on the Sandusky river, at the lower corner of the section hereinafter granted to William Spicer; thence, down the said river, on the east side, with the meanders thereof at high-water mark, to a point east of the mouth of Wolf creek; thence, and from the beginning, east, so far that a north line will include the quantity of thirty thousand acres aforesaid.

Grant to the
Senecas.

The United States also agree to grant, by patent, in fee simple, to Catewekesa or Black Hoof, Byaseka or Wolf, Pomthe or Walker, Shemenetoo or Big Snake, Othawakeseka or Yellow Feather, Chakalowah or the Tail's End, Pemthala or John Perry, Wabepee or White Colour, chiefs of the Shawanee tribe,

Grant to the
Shawanee.

residing at Wapaghkonetta, and their successors in office, chiefs of the said tribe, residing there, for the use of the persons mentioned in the annexed schedule, a tract of land ten miles square, the centre of which shall be the council house at Wapaghkonetta.

Grant to the Shawanees on Hog Creek.

The United States also agree to grant, by patent, in fee simple, to Peeththa or Falling Tree, and to Onowaskemo or the Resolute Man, chiefs of the Shawanee tribes, residing on Hog Creek, and their successors in office, chiefs of the said tribe, residing there, for the use of the persons mentioned in the annexed schedule, a tract of land containing twenty-five square miles, which is to join the tract granted at Wapaghkonetta, and to include the Shawanee settlement on Hog creek, and to be laid off as nearly as possible in a square form.

Grants to the Shawanees and Senecas at Lewistown.

The United States also agree to grant, by patent, in fee simple, to Quatawape or Captain Lewis, Shekaghkela or Turtle, Skilowa or Robin, chiefs of the Shawanee tribe of Indians residing at Lewistown, and to Mesomea or Civil John, Wakawuxsheno or the White Man, Oquasheno or Joe, and Willaquasheno or When you are tired sit down, chiefs of the Seneca tribe of Indians residing at Lewistown, and to their successors in office, chiefs of the said Shawanee and Seneca tribes, for the use of the persons mentioned in the annexed schedule, a tract of land to contain forty-eight square miles, to begin at the intersection of the line run by Charles Roberts, in the year one thousand eight hundred and twelve, from the source of the Little Miami river to the source of the Sciota river, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the Virginia Military Reservation, with the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five,* from the crossings above fort Lawrence to Loramie's store, and to run from such intersection, northerly, with the first mentioned line, and westerly, with the second mentioned line, so as to include the quantity as nearly in a square form as practicable, after excluding the section of land hereinafter granted to Nancy Stewart.

[* Ante, No. 8, of this chapter.]

Reservations for the Ottawas—*infra* art. 20th.

There shall also be reserved for the use of the Ottawa Indians, but not granted to them; a tract of land on Blanchard's fork of the Great Auglaize river, to contain five miles square, the centre of which tract is to be where the old trace crosses the said fork, and one other tract to contain three miles square, on the Little Auglaize river, to include Oquanoxa's village.

Power of conveyance in grantees.

Art. 7. And the said chiefs or their successors may, at any time they may think proper, convey to either of the persons mentioned in the said schedule, or his heirs, the quantity secured thereby to him, or may refuse so to do. But the use of the said land shall be in the said person; and after the share of

any person is conveyed by the chiefs to him, he may convey the same to any person whatever. And any one entitled by the said schedule to a portion of the said land, may, at any time, convey the same to any person, by obtaining the approbation of the President of the United States, or of the person appointed by him to give such approbation. And the agent of the United States shall make an equitable partition of the said share when conveyed. Agent to make partition.

Art. 8. At the special request of the said Indians, the United States agree to grant, by patent, in fee simple, to the persons hereinafter mentioned, all of whom are connected with the said Indians, by blood or adoption, the tracts of land herein described: Grants to Indian connexions.

To Elizabeth Whitaker, who was taken prisoner by the Wyandots, and has ever since lived among them, twelve hundred and eighty acres of land, on the west side of the Sandusky river, below Croghansville, to be laid off in a square form, as nearly as the meanders of the said river will admit, and to run an equal distance above and below the house in which the said Elizabeth Whitaker now lives. Elizabeth Whitaker.

To Robert Armstrong, who was taken prisoner by the Indians, and has ever since lived among them, and has married a Wyandot woman, one section, to contain six hundred and forty acres of land, on the west side of the Sandusky river, to begin at the place called Camp Ball, and to run up the river, with the meanders thereof, one hundred and sixty poles, and, from the beginning, down the river, with the meanders thereof, one hundred and sixty poles, and from the extremity of these lines west for quantity. Robert Armstrong.

To the children of the late William M'Collock, who was killed in August, one thousand eight hundred and twelve, near Maugaugon, and who are quarter-blood Wyandot Indians, one section, to contain six hundred and forty acres of land, on the west side of the Sandusky river, adjoining the lower line of the tract hereby granted to Robert Armstrong, and extending in the same manner with and from the said river. The children of William M'Collock.

To John Vanmeter, who was taken prisoner by the Wyandots, and who has ever since lived among them, and has married a Seneca woman, and to his wife's three brothers, Senecas, who now reside on Honey creek, one thousand acres of land, to begin north, forty-five degrees west, one hundred and forty poles from the house in which the said John Vanmeter now lives, and to run thence, south, three hundred and twenty poles, thence, and from the beginning, east for quantity. John Vanmeter and his wife's brothers.

To Sarah Williams, Joseph Williams, and Rachel Nugent, late Rachel Williams, the said Sarah having been taken prisoner by the Indians, and ever since lived among them, and being the widow, and the said Joseph and Rachel being the children, Sarah and Joseph Williams, and Rachel Nugent.

of the late Isaac Williams, a half-blood Wyandot, one quarter section of land, to contain one hundred and sixty acres, on the east side of the Sandusky river, below Croghansville, and to include their improvements at a place called Negro Point.

Catharine Walker and son John.

To Catharine Walker, a Wyandot woman, and to John R. Walker, her son, who was wounded in the service of the United States, at the battle of Maugaugon, in one thousand eight hundred and twelve, a section of six hundred and forty acres of land each, to begin at the northwestern corner of the tract hereby granted to John Vanmeter and his wife's brothers, and to run with the line thereof, south, three hundred and twenty poles, thence, and from the beginning, west for quantity.

Wm. Spicer.

To William Spicer, who was taken prisoner by the Indians, and has ever since lived among them, and has married a Seneca woman, a section of land, to contain six hundred and forty acres, beginning on the east bank of the Sandusky river, forty poles below the lower corner of said Spicer's cornfield, thence, up the river on the east side, with the meanders thereof, one mile, thence, and from the beginning, east for quantity.

Nancy Stewart.

To Nancy Stewart, daughter of the late Shawanee chief Blue Jacket, one section of land, to contain six hundred and forty acres, on the Great Miami river below Lewistown, to include her present improvements, three quarters of the said section to be on the southeast side of the river, and one quarter on the northwest side thereof.

The children of Capt. Logan.

To the children of the late Shawanee chief captain Logan, or Spamagelabe, who fell in the service of the United States during the late war, one section of land, to contain six hundred and forty acres, on the east side of the Great Auglaize river, adjoining the lower line of the grant of ten miles at Wapaghkonnetta and the said river.

Anthony Shane.

To Anthony Shane, a half-blood Ottawa Indian, one section of land, to contain six hundred and forty acres, on the east side of the river St. Mary's, and to begin opposite the house in which said Shane now lives, thence, up the river, with the meanders thereof, one hundred and sixty poles, and from the beginning down the river, with the meanders thereof, one hundred and sixty poles, and from the extremity of the said lines east for quantity.

James M'Pherson.

To James M'Pherson, who was taken prisoner by the Indians, and has ever since lived among them, one section of land, to contain six hundred and forty acres, in a square form, adjoining the northern or western line of the grant of forty-eight miles at Lewistown, at such place as he may think proper to locate the same.

The Cherokee Boy.

To Horonu, or the Cherokee Boy, a Wyandot chief, a section of land, to contain six hundred and forty acres, on the

Sandusky river, to be laid off in a square form, and to include his improvements.

To Alexander D. Godfroy and Richard Godfroy, adopted children of the Pattawatima tribe, and at their special request, one section of land, to contain six hundred and forty acres, in the tract of country herein ceded to the United States by the Pattawatima, Ottawa, and Chippewa, tribes, to be located by them, the said Alexander and Richard, after the said tract shall have been surveyed.

Alexander D. and Richard Godfroy.

To Sawendebans, or the Yellow Hair, or Peter Minor, an adopted son of Tondaganie, or the Dog, and at the special request of the Ottawas, out of the tract reserved by the treaty of Detroit, in one thousand eight hundred and seven,* above Roche de Bœuf, at the village of the said Dog, a section of land, to contain six hundred and forty acres, to be located in a square form, on the north side of the Miami, at the Wolf Rapid.

Yellow Hair.

(* Ante, No. 8, of this chapter.)

Art. 9. The United States engage to appoint an agent, to reside among or near the Wyandots, to aid them in the protection of their persons and property, to manage their intercourse with the government and citizens of the United States, and to discharge the duties which commonly appertain to the office of Indian agent; and the same agent is to execute the same duties for the Senecas and Delawares on the Sandusky river. And an agent for similar purposes, and vested with similar powers, shall be appointed, to reside among or near the Shawanees, whose agency shall include the reservations at Wapaghkonetta, at Lewistown, at Hog creek, and at Blanchard's creek. And one mile square shall be reserved at Malake for the use of the agent for the Shawanees.

Agent for the Wyandots, Senecas, and Delawares.

Agent for the Shawanees, with a reservation of a mile square.

And the agent for the Wyandots and Senecas shall occupy such land in the grant at Upper Sandusky, as may be necessary for him and the persons attached to the agency.

Agent for Wyandots and Senecas to occupy land.

Art. 10. The United States engage to erect a saw-mill and a grist-mill, upon some proper part of the Wyandot reservation, for their use, and to provide and maintain a blacksmith, for the use of the Wyandots and Senecas, upon the reservation of the Wyandots, and another blacksmith, for the use of the Indians at Wapaghkonetta, Hog creek, and Lewistown.

Saw-mill, grist-mill, and blacksmith, for the Wyandots and Senecas, &c.

Art. 11. The stipulations contained in the treaty of Greenville, relative to the right of the Indians to hunt upon the land hereby ceded, while it continues the property of the United States, shall apply to this treaty; and the Indians shall, for the same term, enjoy the privilege of making sugar upon the same land, committing no unnecessary waste upon the trees.

Rights of hunting and making sugar.

Art. 12. The United States engage to pay, in the course of the year one thousand eight hundred and eighteen, the amount of the damages which were assessed by the authority of the

Payment to Indians for property injured or de-

stroyed during the war with Great-Britain. secretary of war, in favor of several tribes and individuals of the Indians, who adhered to the cause of the United States during the late war with Great-Britain, and whose property was, in consequence of such adherence, injured or destroyed. And it is agreed, that the sums thus assessed shall be paid in specie, at the places, and to the tribes or individuals, hereinafter mentioned, being in conformity with the said assessment ; that is to say :

Wyandots. To the Wyandots, at Upper Sandusky, four thousand three hundred and nineteen dollars and thirty-nine cents.

Senecas—in-fra. To the Senecas, at Lower Sandusky, three thousand nine hundred and eighty-nine dollars and twenty-four cents.

Indians at Lewis, &c. To the Indians at Lewis and Scoutashs towns, twelve hundred and twenty-seven dollars and fifty cents.

Delawares. To the Delawares, for the use of the Indians who suffered losses at Greentown and at Jerome's town, three thousand nine hundred and fifty-six dollars and fifty cents, to be paid at Wapaghkonetta.

Hembis' representatives. To the representatives of Hembis, a Delaware Indian, three hundred and forty-eight dollars and fifty cents, to be paid at Wapaghkonetta.

Shawanees. To the Shawanees, an additional sum of four hundred and twenty dollars, to be paid at Wapaghkonetta.

Senecas—supra. To the Senecas, an additional sum of two hundred and nineteen dollars, to be paid at Wapaghkonetta.

Payment under the treaty of fort Industry. *Art. 13.* And whereas the sum of two thousand five hundred dollars has been paid by the United States to the Shawanees, being one-half of five years' annuities due by the treaty of fort Industry,* and whereas the Wyandots contend that the

(* Ante, No. 6, of this chapter.) whole of the annuity secured by that treaty is to be paid to them, and a few persons of the Shawanee and Seneca tribes ; now, therefore, the commissioners of the United States, believing that the construction given by the Wyandots to the said treaty is correct, engage that the United States shall pay to the said Wyandot tribe in specie, in the course of the year one thousand eight hundred and eighteen, the said sum of two thousand five hundred dollars.

Roads, taverns, and ferries. *Art. 14.* The United States reserve to the proper authority, the right to make roads through any part of the land granted or reserved by this treaty ; and also to the different agents, the right of establishing taverns and ferries for the accommodation of travellers, should the same be found necessary.

Grants free from taxes. *Art. 15.* The tracts of land herein granted to the chiefs, for the use of the Wyandot, Shawanee, Seneca, and Delaware, Indians, and the reserve for the Ottawa Indians, shall not be liable to taxes of any kind so long as such land continues the property of the said Indians.

Art. 16. Some of the Ottawa, Chippewa, and Pattawatima, Grants for the education of Indian Catholic children. tribes, being attached to the Catholic religion, and believing they may wish some of their children hereafter educated, do grant to the rector of the Catholic church of St. Anne of Detroit, for the use of the said church, and to the corporation of the college at Detroit, for the use of the said college, to be retained or sold, as the said rector and corporation may judge expedient, each, one half of three sections of land, to contain six hundred and forty acres, on the river Raisin, at a place called Macon; and three sections of land not yet located, which tracts were reserved, for the use of the said Indians, by the treaty of Detroit, in one thousand eight hundred and seven;* and the superintendent of Indian affairs, in the territory of Michigan, is authorized, (* Ante, No. 8, of this chapter.) on the part of the said Indians, to select the said tracts of land.

Art. 17. The United States engage to pay to any of the Indians, the value of any improvements which they may be obliged to abandon in consequence of the lines established by this treaty. Value of Indian improvements abandoned to be paid for.

Art. 18. The Delaware tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States all the claim which they have to the thirteen sections of land reserved for the use of certain persons of their tribe, by the second section of the act of congress, passed March the third, one thousand eight hundred and seven, providing for the disposal of the lands of the United States between the United States' Military Tract and the Connecticut Reserve, and the lands of the United States between the Cincinnati and Vincennes districts.† Delaware cede 13 sections reserved by act of 3d March, 1807.

Art. 19. The United States agree to grant, by patent, in fee simple, to Zeeshawau, or James Armstrong, and to Sandondoyourayquaw, or Silas Armstrong, chiefs of the Delaware Indians, living on the Sandusky waters, and their successors in office, chiefs of the said tribe, for the use of the persons mentioned in the annexed schedule, in the same manner, and subject to the same conditions, provisions, and limitations, as is hereinbefore provided for the lands granted to the Wyandot, Seneca, and Shawanee Indians, a tract of land, to contain nine square miles, to join the tract granted to the Wyandots, of twelve miles square, to be laid off as nearly in a square form as practicable, and to include Captain Pipe's village. Grant to James and Silas Armstrong.

† The provision referred to is contained in the 2d sec. of the act of 3d March, 1807, "making provision for the disposal of the public lands situated between the United States' Military Tract and the Connecticut Reserve, and for other purposes," (vol. 4. laws U. S. p. 125,) and is in the following words: "That all the lands of the U. States, in the said districts, shall, with the exception of the section number sixteen, and with the exception also of thirteen sections, including the lower town of the Delaware tribe of Indians, and their improvements, which said thirteen sections shall be designated by the Secretary of the Treasury, and shall be reserved for the use of the said tribe and their descendants, so long as they continue to reside thereon, and cultivate the same."

Grant, by
way of re-
servation, to
the Ottawa—
ante, art. 6th.

Art. 20. The United States also agree to grant, by patent, to the chiefs of the Ottawa tribe of Indians, for the use of the said tribe, a tract of land, to contain thirty-four square miles, to be laid out as nearly in a square form as practicable, not interfering with the lines of the tracts reserved by the treaty of Greenville on the south side of the Miami river of lake Erie, and to include Tushquegan, or M'Carty's village; which tracts, thus granted, shall be held by the said tribe, upon the usual conditions of Indian reservations, as though no patent were issued.

Treaty obli-
gatory when
ratified.

Art. 21. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass and Duncan M'Arthur, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawanee, Delaware, Pattawatima, Ottawa, and Chippewa, tribes of Indians, have hereunto set their hands, at the foot of the Rapids of the Miami of lake Erie, this twenty-ninth day of September, in the year of our Lord one thousand eight hundred and seventeen.

LEWIS CASS,
DUNCAN M'ARTHUR.

In presence of

Wm. Turner, *secretary to the commissioners*,
John Johnston, *Indian agent*,
B. F. Stickney, *Indian agent*,
W. Knaggs, *Indian agent*,
G. Godfroy, *Indian agent*,
R. A. Forsyth, jr. *secretary Indian Department*.

Sworn Interpreters.

William Conner,	Peter Ryley,
H. W. Walker,	Henry I. Hunt,
John R. Walker,	Jos. Vance,
James M'Pherson,	Jonathan Leslie,
F. Duchouquet,	Alvan Coe,
A. Shane,	John Gunn,
J. B. Beaugrand,	C. L. Cass, <i>lt. U. S. Army</i> .

CHIPPEWAS.

Wasonnezo, his x mark,
Okemance, or the Young Chief, his x mark,
Shinguax, or Cedar, his x mark,
Kinobee, his x mark,
Chinguagin, his x mark,
Sheganack, or Black Bird, his x mark,
Mintougaboit, or the Devil Standing, his x mark,
Wastuau, his x mark,
Penquam, his x mark,
Chemokcomon, or American, his x mark,
Papecumegat, his x mark,
Matwaash, or Heard Fell Down, his x mark,

Potaquam, his x mark,
 Pensweguesic, the Jay Bird, his x mark,
 Weabakewen, or the White Man, his x mark,
 Waynoce, his x mark.

PATAWATIMAS.

Metca, his x mark,
 Wynemac, his x mark,
 Wynemakona, or the Front, his x mark,
 Ocheackabee, his x mark,
 Conge, his x mark,
 Wankeway, his x mark,
 Periah, his x mark,
 Tonguish, his x mark,
 Papekitcha, or Flat Belly, his x mark,
 Medomin, or Corn, his x mark,
 Saguemat, or Musketo, his x mark,
 Wawacece, or Full Moon, his x mark,
 Ninwicheumon, his x mark,
 Missenonsai, his x mark,
 Waysagua, his x mark,
 Nannanmee, his x mark,
 Nannanackau, his x mark,
 Meanqueah, his x mark,
 Wawenoke, his x mark,
 Ashenekazo, his x mark,
 Nanemuckuck, his x mark,
 Ashkebee, his x mark,
 Makotai, his x mark,
 Wabinsheaway, White Elk, his x mark,
 Gabriel, or Gabinai, his x mark,
 Waishit, his x mark,
 Naonquay, his x mark,
 Meshawgonay, his x mark,
 Nitchetash, his x mark,
 Skewbicack, his x mark,
 Chechalk, or Crane, his x mark.

WYANDOTS.

Dunquad, or Half King, his x mark,
 Runtunda, or War Pole, his x mark,
 Aronuc, or Cherokee Boy, his x mark,
 T. Aruntue, or Between the Legs, his x mark,
 D. Wettondt, or John Hicks, his x mark,
 T. Undetaso, or Geo. Punch, his x mark,
 Menonkue, or Thomas, his x mark,
 Undanwau, or Matthews, his x mark.

DELAWARES.

Kithtuwheiland, or Anderson, his x mark,
 Punchhuck, or Capt. Beaver, his x mark,
 Tahunqecoppi, or Capt. Pipe, his x mark,
 Clamatonockis, his x mark,
 Awcallesa, or Whirlwind, his x mark.

SHAWANEEKS.

Cateweekesa, or Black Hoof, his x mark,
 Biasaka, or Wolf, his x mark,
 Pomthe, or Walker, his x mark,
 Shemenetu, or Big Snake, his x mark,
 Chacalowa, or Tail's End, his x mark,
 Femthata, or Perry, his x mark,
 Othawakeesa, or Yellow Feather, his x mark,

Wawathethaka, or Capt. Reed, his x mark,
 Tecumtequa, his x mark,
 Quitewe, War Chief, his x mark,
 Cheacksca, or Captain Tom, his x mark,
 Quitawepea, or Captain Lewis, his x mark.

SENECAS.

Methomea, or Civil John, his x mark,
 Sacourewcegha, or Wiping Stick, his mark,
 Shekoghkell, or Big Turtle, his x mark,
 Aquasheno, or Joe, his x mark,
 Wakenuceno, White Man, his x mark,
 Samendue, or Captain Signore, his x mark,
 Skilleway, or Robbin, his x mark,
 Dasquocerunt, his x mark.

OTTAWAS.

Tontagimi, or the Dog, his x mark,
 Misquegin, M'Carty, his x mark,
 Pontiac, his x mark,
 Oquenozas, his x mark,
 Tashmwa, his x mark,
 Nowkesick, his x mark,
 Wabekeighke, his x mark,
 Kinewaba, his x mark,
 Twaatum, his x mark,
 Supay, his x mark,
 Nashkema, his x mark,
 Kuwashewon, his x mark,
 Kusha, his x mark.

Schedule referred to in the foregoing treaty, and to be taken and considered as part thereof.

Appropriation
 of part of the
 lands granted,
 to the Wyandots.

Three sections, to contain six hundred and forty acres each, are to be reserved out of the tract of twelve miles square to be granted to the Wyandots. One of the said sections is to be appropriated to the use of a missionary, one for the support of schools, and one for the support of mechanics, and to be under the direction of the chiefs. Two sections, of six hundred and forty acres each, are to be granted to each of the following persons, being the chief of the Wyandot tribe, and his six counsellors, namely: Doouquod, or half king; Routoudu, or Warpole; Tauyaurontoyou, or Between the logs; Dawatout, or John Hicks; Manocue, or Thomas; Tauyoudautansau, or George Punch; and Hawdowuwaugh, or Matthews.

(* Query, 17.
 But it is fifteen in the original treaty.)

Division of
 the remainder.

And, after deducting the fifteen* sections thus to be disposed of, the residue of the said tract of twelve miles square is to be equally divided among the following persons, namely: Hocue, Roudootouk, Mahoma, Naatoua, Mautanawto, Maurunquaws, Naynuhanky, Abrm. Williams, sen. Squautauagh, Tauyouranuta, Tahawquevouws, Dasharows, Trayhetou, Hawtooyou, Maydounaytove, Neudooslau, Deecalroutousay, Doutooyemaugh, Datoowawna, Matsayeaanyourie, James Ranken, Sentumass, Tahaotshowweda, Madudara, Shaudouaye, Shamadecsay, Sommodowot, Moautaan, Nawsottomaugh, Maurauskin-

quaws, Tawtoolowme, Shawdouyeayouro, Showweno, Dashoree, Sennewdorow, Toayttooraw, Mawskattaugh, Tahawsnodeuyea, Haunarawreudee, Shauromou, Tawyaumontoreyee, Roumelay, Nadocays, Carrymanduetaugh, Bigarms, Madonrawcays, Hauranoot, Syrerundash, Tahorowtsemdee, Roosayn, Dautoresay, Nashawtoomous, Skawduutoutee, Sanorowsha, Nautennee, Youausha, Aumatourow, Ohoutautoon, Tawyougawayou, Sootonteeree, Dootooau, Hawreewaudee, Yourahatsa, Towntoreshaw, Syuwewataugh, Canyou, Omitzashaw, Gausawaugh, Skashowaysquaw, Mawdovdoo, Narowayshaus, Nawcaty, Isuhowhayeato, Myatouska, Tauoodowma, Youhreo, George Williams, Oharvatoy, Saharossor, Isaac Williams, Squindatee, Mayeatohot, Lewis Coon, Isatouque, or John Coon, Tawaumanocay or E. Wright, Owawtatuw, Isontraudee, Tomatsahoss, Sarrahoss, Tauyoureehoryeow, Saudotoss, Toworordu or Big Ears, Tauomatsarau, Tanoroudoyou or Two, Daureehau, Dauoreenu, Trautohauweetough, Yonrouquains or the widow of the Crane, Caunaytoma, Hottomorrow, Taweesho, Dauquausay, Toumon, Hoogaudoorow, Newdeetoutow, Dawhowhotik, Daushouteehawk, Sawaronuis, Norrow, Tawwass, Tawareroons, Neshaustay, Toharratoregh, Tawrowtotucawaa, Youshindauyato, Tausanays, Sadowerrais, Isanowtowtoulk or Fox Widow, Sauratoudo or William Zane, Hayannoise, or Ebenezer Zane, Mawcasharrow or widow M'Culloch, Susannah, Teshawtaugh, Bawews, Tamatarank, Razor, Rahisau, Cadutore, Shawnetarew, Tattrarow, Cuqua, Yourowon, Jauyounaoskra, Tanorawayout, Howcuquawdorow, Gooyeamee, Dautsaqua, Maudamu, Sanoreeshoc, Hawleeyetausay, Gearoohee, Matoskrawtoulk, Dawweeshoe, Jawyouraawot, Nacudeoranaaurayk, Youronurays, Scoutush, Serroymuch, Hoondeshotch, Ishuskeah, Dusharraw, Ondewaus, Dwyewtale, Roueyoutacolo, Hoonorowyoutacole, Hownorowduro, Nawanaunonelo, Tolhomanona, Ekiyamik, Tyeeahwkeunohale, Aushewhowole, Schowondashres, Mondushawquaw, Tayondrakele, Giveriahes, Sootreeshuskoh, Suyouturaw, Tiudee, Tahorroshoquaw, Irahkasquaw, Ishoreameusuwat, Curoueyottell, Noriyeltetee, Siyarech, Testeatete.

The thirty thousand acres for the Senecas upon the Sandusky river, is to be equally divided among the following persons, namely: Syuwasantau, Nawwene, Joseph, Iseumetaugh or Picking up a club, Orauhaotodee or Turn over, Taudaurus or Split the river, Tahowtoorains or Jo Smeech, Ismomduare, Yellow-bay, Dashowrowramou, or Drifting sand, Hauautounasquas, Hamyautuhow, Tahocayn, Howdautanyeo or King George, Standing Bones, Cyahaga or Fisher, Suthemoore, Red Skin, Mentauteehoore, Hyanskraman or Knife in his hand, Running About, John Smith, Carrying the Basket, Cauwauay or Striking, Rewaueato or Carrying the news, Half up the

Division of
the lands
granted to the
Senecas.

Hill, Trowyouduys or G. Hunter, Spike Buck, Cangooshow or Clearing up, Mark on his Hip, Captain Hams, Isetaune or Crying often, Tauneroyea or Two companies, Haudonwouays or Stripping the river, Isohauhasay or Tall chief, Tahowmandoyou, Howyouway or Paddling, Clouding up, Youwautowtoyou or Burnt his body, Shetouyouwee or Sweet foot, Tauhau-gainstoany or Holding his hand about, Oharrowtodee or Turning over, Haucaumarout, Sarrowsauismatare or Striking sword, Sadudeto, Oshoutoy or Burning berry, Hard Hickory, Curetscetau, Youronocay or Isaac, Youtradowwonlee, Newtauyaro, Tayouououte or Old foot, Taosanetee, Syunout or Give it to her, Doonstough or Bunch on his forehead, Tyaudusout or Joshua Hendricks, Taushaushaurow or Cross the arms, Henry, Youwaydaueya or the Island, Armstrong, Shake the Ground, His Neck Down, Youheno, Towotoyoudo or Looking at her, Captain Smith, Tobacco, Standing Stone, Ronunais or Wiping stick, Tanduhatse or Large Bones, Hamanchagave, House Fly or Maggot, Roudouma or Sap running, Big Belt, Cat Bone, Sammy, Taongauats or Round the point, Ramuye or Hold the Sky, Mentoududu, Hownotant, Slippery Nose, Tauslowquowsay, or Twenty wives, Hoogaurow or Mad man, Coffee-House, Long Hair.

Division of the tract at Wapaghkonetta.

The tract of ten miles square at Wapaghkonetta is to be equally divided among the following persons, namely: The Black Hoof, Pompthe or Walker, Piaseka or Wolf, Shemenutu or Snake, Othawakeseka or Yellow Feather, Penethata or Perry, Chacalaway or the End of the tail, Quitawee or War chief, Sachachewa, Wasewweela, Waseweela or Bright horn, Otharosa or yellow, Tepetoseka, Caneshemo, Newabetucka, Cawawescucka, Thokutchema, Setakosheka, Topee or James Saunders, Meshenewa, Tatiape, Pokechaw, Alawaymotakah, Lallaway or Perry, Wabemec, Nemekoshee, Nenepemeshequa or Cornstalk, Sheshie, Shawabaghke, Naneskaka, Thakoska or David M'Nair, Skapakake, Shapoquata, Peapakseka, Quaghquona, Quotowame, Nitaseka, Thakaska or Spy buck, Peka-thekseka, Tewaskoota or James Blue Jacket, Calawesa, Quaho, Kaketchheka or W. Perry, Swapee, Peekto or Davy Baker, Skokapowa or George M'Dougall, Chepakoso, Shemay or Sam, Chiakoska or Captain Tom, General Wayne, Thaway, Othawee, Weasesesaka or Captain Reed, Lewaytaka, Tegoshea or George, Shekacumsheka, Wesheshemo, Mawenatcheka, Quashke, Thaswa, Baptieste, Waywalapee, Peshequkame, Chakalakee or Tom, Keywaypee, Egotacumshequa, Wabepee, Aquash-equa, Pemotah, Nepaho, Takepee, Toposheka, Lathawanomo, Sowaghkota or Yellow clouds, Meenkesheka, Asheseka, Ochipway, Thapaeka, Chakata, Nakacheka, Thathouakata, Paytokothe, Pasleske, Shesheloo, Quanaqua, Kalkoo, Toghshena, Capowa, Ethowakosee, Quaquesha, Capea, Thakatcheway, The

man going up hill, Magotha, Tecumtequa, Tetepakotho, Kkentha, Sheatwa, Shiabwasson, Koghkela, Akopee or a Heap of any thing, Lamatothe, Kesho, Pankoor, Peitchthator or Peter, Metchepelah, Capeah, Showagame, Wawaleepesheeka, Meewensheka, Nanemepahtoo or Trotter, Pamitchepetoo, Chalequa, Tetetee, Lesheshe, Nawabasheka or white feather, Skepakesheshe, Tenakee, Shemaka, Pasheto, Thiatcheto, Metchemetches, Chakowa, Lawathska, Potchetee or the Man without a tail, Awaubaneshekaw, Patacoma, Lamakeshaka, Papashow, Weathaksheka, Pewaypee, Totah, Canaquah, Skepakutcheka, Welvieso, Kitahoe, Neentakoshe, Oshaishe, Chilosee, Quilaisha, Mawethaque, Akepee, Quelenee. The tract of five miles square, at Hog creek, is to be equally divided among the following persons, namely : Peeththa, Onowashim, Pematheywa, Wabekesheke, Leeso, Pohcawese, Shemagauashe, Nehquakahucka, Papaskootepa, Meamepetoo, Welawenaka, Petiska, Ketuckepee, Lawitchetee, Epaumee, Chanacke, Jose, Lanawytucka, Shawaynaka, Wawatashewa, Ketaksosa, Shashokopeah, Lakose, Quinaska.

Division of the tract at Hog creek.

The tract of forty-eight square miles, including Lewistown, is to be equally divided among the following persons, namely : *Shawanees*—Colonel Lewis, Polly Kizer, Thoueteseepuah or Weed, Calossete, Vamauweke, Wawcumsee, Skitlewa, Naya-bepe, Wosheta, Nopamago, Willesque, Salock, Walathe, Silver-smith, Siatha, Toseluo, Jemmy McDonald, Jackson, Mohawk Thomas, Silverheels, John, Wewachee, Cassic, Atshena, Frenchman, Squesenau, Goohunt, Manwealte, Walisee, Billy, Thawwame, Wopsquitty, Naywale, Big Turtle, Nolawat, Nawalippa, Razor, Blue, Tick, Nerer, Falling Star, Hale Clock, Hisoscock, Essquaseeto, Geore, Nuussome, Sauhanoe, Joseph, Scotowe, Battease, Crow, Shilling, Scotta, Nowpour, Nameawah, Quemauto, Snife, Captain, Taudetoso, Sunrise, Sowget, Deshau, Little Lewis, Jacquis, Tonaout, Swaunacou, General, Cossaboll, Bald, Crooked Stick, Wespata, Newasa, Garter, Porcupine, Pocaloche, Wocheque, Sauquaha, Enata, Panther, Colesetos, Joe. *Senecas*—Civil John, Wild Duck, Tall Man, Molasses, Ash, Nahanaxa, Tasauk, Agusquenah, Roughleg, Quequesaw, Playful, Hairlip, Tutinque, Hillnepewayatuska, Tauhunsequa, Nynoh, Suchusque, Leematque, Treuse, Sequate, Caumecus, Scouneti, Tocondusque, Conhoudatwaco, Cowista, Nequatren, Cowhusted, Gillwas, Axtaea, Conawwehow, Sutteasee, Kiahoot, Crane, Silver, Bysaw, Crayfish, Woollyhead, Conundahau, Shacosaw, Coindos, Hutchequa, Nayau, Conodose, Coneseta, Nealuata, Owl, Couauka, Cocheco, Couewash, Sinnecou-acheckowe or Leek.

Division of the tract including Lewistown.

The tract of three miles square for the Delaware Indians, adjoining the tract of twelve miles square upon the Sandusky river, is to be equally divided among the following persons,

Division of the tract for the Delaware.

namely: Captain Pipe, Zeshauau or James Armstrong, Mahautoo or John Armstrong, Sanoudoyeasquaw or Silas Armstrong, Teorow or Black Raccoon, Hawdorouwatistie or Billy Montour, Buck Wheat, William Dondee, Thomas Lyons, Johnny Cake, Captain Wolf, Isaac Hill, John Hill, Tishataheones or widow Armstrong, Ayenucere, Hoomaurou or John Ming, Youdorast.

LEWIS CASS,
DUNCAN M'ARTHUR, } *Commissioners.*

Treaty with
the Wyandots,
Senecas,
Shawanees,
and Ottawas.

St. Mary's,
(O.) 17th Sept.
1818.

No. 17. Articles of a treaty made and concluded, at St. Mary's, in the state of Ohio, between Lewis Cass and Duncan M'Arthur, commissioners of the United States, with full power and authority to hold conferences, and conclude and sign a treaty or treaties, with all or any of the tribes or nations of Indians within the boundaries of the state of Ohio, of and concerning all matters interesting to the United States and the said nations of Indians, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawnee, and Ottawa, tribes of Indians; being supplementary to the treaty made and concluded with the said tribes, and the Delaware, Pattawatima, and Chippewa, tribes of Indians, at the foot of the Rapids of the Miami of lake Erie, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and seventeen.*

(* The preceding treaty,
No. 16.)

The grants in
the treaty of
29th Sept.
1817, to be
considered only
as reservations,
for the use of the
Indians, &c.

Art. 1. It is agreed, between the United States and the parties hereunto, that the several tracts of land, described in the treaty to which this is supplementary, and agreed thereby to be granted by the United States to the chiefs of the respective tribes named therein, for the use of the individuals of the said tribes, and also the tract described in the twentieth article of the said treaty, shall not be thus granted, but shall be excepted from the cession made by the said tribes to the United States, reserved for the use of the said Indians, and held by them in the same manner as Indian reservations have been heretofore held. But is further agreed, that the tracts thus reserved shall be reserved for the use of the Indians named in the schedule to the said treaty, and held by them and their heirs forever, unless ceded to the United States.

Additional reservation
for the Wyandots.

Art. 2. It is also agreed that there shall be reserved for the use of the Wyandots, in addition to the reservations before made, fifty-five thousand six hundred and eighty acres of land, to be laid off in two tracts, the first to adjoin the south line of the section of six hundred and forty acres of land heretofore reserved for the Wyandot chief, the Cherokee Boy, and to extend south to the north line of the reserve of twelve miles square, at Upper Sandusky, and the other to join the east line of the reserve of twelve miles square, at Upper Sandusky, and to extend east for quantity.

Reservation
for Wyandots

There shall also be reserved, for the use of the Wyandots residing at Solomon's town, and on Blanchard's fork, in addi-

tion to the reservations before made, sixteen thousand acres of land, to be laid off in a square form, on the head of Blanchard's fork, the centre of which shall be at the Big Spring, on the trace leading from Upper Sandusky to fort Findlay; and one hundred and sixty acres of land, for the use of the Wyandots, on the west side of the Sandusky river, adjoining the said river, and the lower line of two sections of land, agreed, by the treaty to which this is supplementary, to be granted to Elizabeth Whitaker.

There shall also be reserved, for the use of the Shawanees, in addition to the reservations before made, twelve thousand eight hundred acres of land, to be laid off adjoining the east line of their reserve of ten miles square, at Wapaghkonetta; and for the use of the Shawanees and Senecas, eight thousand nine hundred and sixty acres of land, to be laid off adjoining the west line of the reserve of forty-eight square miles at Lewistown. And the last reserve hereby made, and the former reserve at the same place, shall be equally divided by an east and west line, to be drawn through the same. And the north half of the said tract shall be reserved for the use of the Senecas who reside there, and the south half for the use of the Shawanees who reside there.

There shall also be reserved for the use of the Senecas, in addition to the reservations before made, ten thousand acres of land, to be laid off on the east side of the Sandusky river, adjoining the south line of their reservation of thirty thousand acres of land, which begins on the Sandusky river, at the lower corner of William Spicer's section, and excluding therefrom the said William Spicer's section.

Art. 3. It is hereby agreed that the tracts of land, which, by the eighth article of the treaty to which this is supplementary, are to be granted by the United States to the persons therein mentioned, shall never be conveyed, by them or their heirs, without the permission of the president of the United States.

Art. 4. The United States agree to pay to the Wyandots an additional annuity of five hundred dollars, forever; to the Shawanees, and to the Senecas of Lewistown, an additional annuity of one thousand dollars, forever; and to the Senecas an additional annuity of five hundred dollars, forever; and to the Ottawas an additional annuity of one thousand five hundred dollars, forever. And these annuities shall be paid at the places, and in the manner, prescribed by the treaty to which this is supplementary.

Art. 5. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass and Duncan M^cArthur, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawanee, and Ottawa, tribes of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this seventeenth day of September, in the year of our Lord one thousand eight hundred and eighteen.

LEWIS CASS,
DUNCAN M^cARTHUR.

In presence of

Wm. Turner, *secretary*,
John Johnston, *Indian agent*,
B. F. Stickney, *Indian agent*,
B. Parke, *district judge of Indiana*,
Jonathan Jennings, *governor of Indiana*,
Alexander Wolcott, jr. *Indian agent, Detroit*,
John Conner,
J. T. Chunn, *major of 3d infantry*,
R. A. Forsyth, jr. *secretary Indian department*,
Wm. P. Rathbone, *army contractor*,
G. M. Grosvenor, *captain 8th infantry*.

Sworn Interpreters.

Henry L. Hunt,
John Kenzer, *Sub agent*,
F. Duchouquet,
W. Knaggs.

A. Shane,
John B. Walker,
L. Jouett, *Indian agent*.

OTTAWAS.

Keueaghbon, or Bald Eagle, his x mark,
Peshekata, or Marked Legs, his x mark,
Shwanabe, or Muskrat, his x mark,
Toutogana, or The Dog, his x mark,
Tushquagon, or McCarty, his x mark,
Mushkema, his x mark.

SHAWANEES.

Cuttewekasa, or Black Hoof, his x mark,
Shemenetu, or Big Snake, his x mark,
Biaseka, or Wolf, his x mark,
Pomthe, or Walker, his x mark,
Chacalawa, or Long Tail, his x mark,
Pemthata, or Perry, his x mark,
Red Man, or Capt. Reed, his x mark,
Chiackaka, or Captain Tom, his x mark,
Tecuntequa, or Elk in the Water, his x mark,
Quitawepa, or Colonel Lewis, his x mark,
Captain Pipe, his x mark,
James Armstrong, his x mark.

OTTOWAS.

Meteaheneiwa, or Bear's Man, his x mark,
Oquenoxe, his x mark,
Peneshaw, or Eagle, his x mark.

WYANDOTS.

Douquad, or Half King, his x mark,
Rontodnu, or War Pole, his x mark,

Tuysaurontoyou, or Between the Logs, his x mark,
 Dautout, or John Hicks, his x mark,
 Horonu, or Cherokee Boy, his x mark,
 Teoudetosso, or George Punch, his x mark,
 Hawdoro, or Matthews, his x mark,
 Skoutous, his x mark,
 Quouqua, his x mark.

SENEGAS.

Methomea, or Civil John, his x mark,
 Shekoghkell, or Big Turtle, his x mark,
 Waghkonoxie, or White Bone, his x mark,
 Tochequia, or Yellow Bone, his x mark,
 Captain Togone, his x mark,
 Cunneskokant, or Harris, his x mark,
 Tousonecta, or His Blanket Down, his x mark,
 Wiping Stick, his x mark.

No. 18. A treaty, made and concluded, by, and between, Ninian Edwards and Auguste Chouteau, Commissioners on the part and behalf of the United States of America, of the one part, and the undersigned, principal chiefs and warriors of the Peoria, Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes of the Illinois nation of Indians, on the part and behalf of the said tribes, of the other part.

Whereas, by the treaty made at Vincennes, on the thirteenth day of August, in the year of our Lord one thousand eight hundred and three,* between the United States, of the one part, and the head chiefs and warriors of the tribe of Indians commonly called the Kaskaskia tribe, but which was composed of, and rightfully represented, the Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes of the Illinois nation of Indians, of the other part, a certain tract of land was ceded to the United States, which was supposed to include all the land claimed by those respective tribes, but which did not include, and was not intended to include, the land which was rightfully claimed by the Peoria Indians, a tribe of the Illinois nation, who then did, and still do, live separate and apart from the tribes above-mentioned, and who are not represented in the treaty referred to above, nor ever received any part of the consideration given for the cession of land therein mentioned: And whereas the said tribe of Peoria are now also disposed to cede all their land to the United States, and, for the purpose of avoiding any dispute with regard to the boundary of their claim, are willing to unite with the Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes, in confirming the cession of land to the United States, which was made by the treaty above referred to, and in extending the cession so as to include all the land claimed by those tribes, and themselves, respectively.

Art. 1. For which purpose the undersigned, head chiefs and warriors of the Peoria, Kaskaskia, Mitchigamia, Cahokia, and Tamarois, tribes of the Illinois nation of Indians, for the con-

Treaty with the Peoria, Kaskaskia, Mitchigamia, Cahokia, and Tamarois Indians.

Edwardsville, 25th September, 1818.

* Post, chap. 9, No. 1.]

A tract of land ceded by the treaty of Vincennes, of 18th August, 1803, did not include land claimed by the Peorias.

The Peorias now disposed to cede.

Cession by all the tribes, parties to this treaty.

siderations hereinafter mentioned, do hereby relinquish, cede, and confirm to the United States, all the land included within the following boundaries, viz: Beginning at the confluence of the Ohio and Mississippi rivers; thence, up the Ohio, to the mouth of Saline creek, about twelve miles below the mouth of the Wabash; thence, along the dividing ridge between the waters of said creek and the Wabash, to the general dividing ridge between the waters which fall into the Wabash and those which fall into the Kaskaskia river; thence, along the said ridge, until it reaches the waters which fall into the Illinois river; thence a direct line to the confluence of the Kankakee and Maple rivers; thence, down the Illinois river, to its confluence with the Mississippi river, and down the latter to the beginning.

Stipulations in the treaty of Vincennes to continue obligatory. The U. S. will protect the tribes, parties to this treaty.

The Peorias to refrain from making war, &c. without consent of the U. S.

2000 dollars in merchandise, and an annuity of 300 dollars, for 12 years, to the Peorias.

The U. S. cede 640 acres of land to the Peorias.

Peorias accept the presents, annuity, and land, in full for all their claims.

Art. 2. It is mutually agreed, by the parties hereto, that all the stipulations contained in the treaty, above referred to, shall continue binding and obligatory on both parties.

Art. 3. The United States will take the Peoria tribe, as well as the other tribes herein abovementioned, under their immediate care and patronage, and will afford them a protection as effectual, against any other Indian tribes, and against all other persons whatever, as is enjoyed by the citizens of the United States. And the said Peoria tribe do hereby engage to refrain from making war, or giving any insult or offence, to any other Indian tribe, or to any foreign nation, without first having obtained the approbation and consent of the United States.

Art. 4. In addition to two thousand dollars' worth of merchandise, this day paid to the abovementioned tribes of Indians, the receipt whereof is hereby acknowledged, the United States promise to pay to the said Peoria tribe, for the term of twelve years, an annuity of three hundred dollars, in money, merchandise, or domestic animals, at the option of the said tribe; to be delivered at the village of St. Genevieve, in the territory of Missouri.

Art. 5. The United States agree to cede, to the said Peoria tribe, six hundred and forty acres of land, including their village on Blackwater river, in the territory of Missouri; provided that the said tract is not included within a private claim; but should that be the case, then some other tract of equal quantity and value shall be designated for said tribe, at such place as the president of the United States may direct. And the said Peoria tribe hereby agree to accept the same, together with the presents now given them, and the annuity hereby promised them, as a full equivalent for all and every tract of land to which they have any pretence of right or title.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereun-

to subscribed their names and affixed their seals. Done at Edwardsville, in the state of Illinois, this twenty-fifth day of September, in the year of our Lord one thousand eight hundred and eighteen, and of the Independence of the United States the forty-third.

NINIAN EDWARDS,
AUG. CHOUTEAU.

PEORIAS.

Waw Peeshawkawnan, Shield, his x mark,
Wassawcosangaw, Shine, his x mark,
Naynawwitwaw, Sentinel, his x mark,
Wissinecaw, the Eater, his x mark,
Rawmissawnoa, or Wind, his x mark,
Mawressaw, or Knife, his x mark,
Koongeepawtaw, his x mark,
Batticy, or Baptist, his x mark,
Keemawrancaw, or Seal, his x mark,
Wecomawkawnaw, his x mark,
Keeshammy, or Cut off a Piece, his x mark.

KASKASKIAS.

Louis Jefferson Decouagne, his x mark,
Wawpamahwhawaw, or White Wolf, his x mark,
Awrawmapingaw, or Whale, his x mark,
Keemawassaw, or Little Chief, his x mark.

MITCHIGAMIAS.

Wackshingaw, or Crooked Moon, his x mark,
Keetawkeemawwaw, or Andrew, his x mark,
Manggonssaw, his x mark.

CAHOKIAS.

Mooyawkacke, or Mercier, his x mark,
Pemmeekawwattaw, or Henry, his x mark,
Papenegeesawwaw, his x mark,
Shopinnaw, or Pint, his x mark,
Maysheeweerrattaw, or Big Horn, his x mark.

TAMARois.

Mahkattamawweeyaw, Black Wolf, his x mark,
Queckkawpectaw, or Round Seat, his x mark.

In presence of

Pascal Cerre, *secretary to the commissioners*,
Abraham Prickett,
B. Stephenson,
John M'Kee,
Joseph Conway,
Josias Randle,
Ebenezer Baldwin,
Reuben H. Walworth,
William Swettaud,
John Kain,
R. Pulliam,
John Gaither,
N. Bucknett,
Jacob Prickett,
John Wilson,
William P. M'Kee,
James Watts,
John Howard,

Richard Brevoortfield,
Robert Bogue,
James Mason,
John Shinn, jur.
John H. Randle,
Edmund Randle.

Treaty with
the Ottawas
and Chippe-
was.
Michilimacki-
nac and L'Ar-
bre Croche,
6th July,
1820.

St. Martin
Islands ceded
to the U. S.

Goods in full
satisfaction to
the Indians.

No. 19. Articles of a treaty, made and concluded at L'Arbre Croche, and Michilimackinac, in the territory of Michigan, between the United States of America, by their Commissioner, Lewis Cass, and the Ottawa and Chippewa nations of Indians.

Art. 1. The Ottawa and Chippewa nations of Indians cede to the United States the St. Martin Islands in lake Huron, containing Plaster of Paris, and to be located under the direction of the United States.

Art. 2. The Ottawa and Chippewa nations of Indians acknowledge to have this day received a quantity of goods in full satisfaction of the above cession.

Art. 3. This treaty shall be obligatory on the contracting parties after the same shall be ratified by the President of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass, Commissioner as aforesaid, and the chiefs and warriors of the Ottawa and Chippewa nations of Indians, have hereunto set their hands, at Michilimackinac and L'Arbre Croche, in the territory of Michigan, this 6th day of July, in the year of our Lord one thousand eight hundred and twenty.

LEWIS CASS.

Ottawa chiefs,

{ Skahjenini, his x mark,
Pahquesegun, or Smoking Weed, his x mark
Chemogueman, or Big Knife, his x mark,
Misesonguay, his x mark,
Papametaby, his x mark,
Ceitaw, his x mark,
Shawanoce, his x mark,
Oninjuega, or Wing, Ottawa chief, his x mark,
Cuddimalnese, or Black Hawk, Ottawa chief, his x mark.
Dionesau, his x mark,
Kojenoikoose, or Long, his x mark,
Kenojekum, or Pike, his x mark,
Cachetokee, his x mark,
Gimowon, or Rain, his x mark,
Chiboisquisegun, or Big Gun, his x mark,
Skubinesse, or Red Bird, his x mark,
Weashe, his x mark,
Nebaguam, his x mark,

Chippewa chiefs,

{ Ainse, his x mark,
Shaganash, or Englishman, his x mark.

Witnesses present:

Jed. Morse, D. D.
Gilbert Knapp.
Richard C. Morse;
H. G. Gravenant, sworn interpreter,
George Boyd, Indian agent.

No. 20. Articles of a treaty made and concluded at Chicago, in the state of Illinois, between Lewis Cass and Solomon Sibley, commissioners of the United States, and the Ottawa, Chippewa, and Pottawatimias, nations of Indians.

Chicago, 29th August, 1821.

Art. 1. The Ottawa, Chippewa, and Pottawatimias, nations of Indians cede to the United States all the land comprehended within the following boundaries: Beginning at a point on the south bank of the river St. Joseph of lake Michigan, near the Parc aux Vaches, due north from Rum's village, and running thence south to a line drawn due east from the southern extreme of lake Michigan, thence with the said line east to the tract ceded by the Pottawatimias to the United States by the treaty of fort Meigs in 1817,* if the said line should strike the said tract, but if the said line should pass north of the said tract, then such line shall be continued until it strikes the western boundary of the tract ceded to the United States by the treaty of Detroit in 1807,† and from the termination of the said line, following the boundaries of former cessions, to the main branch of the grand river of lake Michigan, should any of the said lines cross the said river; but if none of the said lines should cross the said river, then to a point due east of the source of the said main branch of the said river, and from such point due west to the source of the said principal branch, and from the crossing of the said river, or from the source thereof, as the case may be, down the said river, on the north bank thereof, to the mouth; thence following the shore of lake Michigan to the south bank of the said river St. Joseph, at the mouth thereof, and thence with the said south bank to the place of beginning.

Ottawa, Chippewa, and Pottawatimias, cede the land within the boundaries described.

(† Ante, No. 8, of this chapter.)

Reservations.

Art. 2. From the cession aforesaid, there shall be reserved, for the use of the Indians, the following tracts:

One tract at Mang-ach-quavillage, on the river Peble, of six miles square.

One tract at Mick-ke-saw-be, of six miles square.

One tract at the village of Na-to-wa-se-pe, of four miles square.

One tract at the village of Prairie Ronde, of three miles square.

One tract at the village of Match-e-be-nash-she-wish, at the head of the Kekalamazoo river.‡

Art. 3. There shall be granted by the United States to each of the following persons, being all Indians by descent, and to their heirs, the following tracts of land:

To John Burnet, two sections of land.

John Burnet.

To James Burnet, Abraham Burnet, Rebecca Burnet, and Nancy Burnet, each one section of land; which said John, James, Abraham, Rebecca, and Nancy, are children of Kaw-

J. A. B. and N. Burnet.

* For the treaty referred to, see ante, No. 16, of this chapter.

‡ For the extent of this tract, see note by the commissioners at the foot of this treaty.

~~This treaty of-~~
fective as soon
as ratified.

Art. 7. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass and Solomon Sibley, Commissioners as aforesaid, and the chiefs and warriors of the said Ottawa, Chippewa, and Pattiwattima, nations, have hereunto set their hands, at Chicago aforesaid, this 29th day of August, in the year of our Lord one thousand eight hundred and twenty-one.

LEWIS CASS,
SOLOMON SIBLEY.

OTTAWAS.

Kewagoushcum, his x mark,
Nokawjegaun, his x mark,
Kee-o-to-aw-be, his x mark,
Ket-che-me-chi-na-waw, his x mark,
Ep-pe-san-se, his x mark,
Kay-nee-wee, his x mark,
Mo-a-put-to, his x mark,
Mat-che-pee-na-che-wish, his x mark.

CHIPPEWAS.

Met-tay-waw, his x mark,
Mich-el, his x mark.

PATTIWATIMAS.

To-pen-ne-bee, his x mark,
Mee-te-ay, his x mark,
Chee-ban-se, his x mark,
Loui-son, his x mark,
Wee-saw, his x mark,
Kee-po-taw, his x mark,
Shay-auk-ke-bee, his x mark,
Sho-mang, his x mark,
Waw-we-uck-ke-meck, his x mark,
Nay-ou-chee-mon, his x mark,
Kon-gee, his x mark,
Shee-shaw-gan, his x mark,
Aysh-cam, his x mark,
Meck-say-mank, his x mark,
May-ten-way, his x mark,
Shaw-wen-ne-me-tay, his x mark,
Francois, his x mark,
Mauk-see, his x mark,
Way-me-go, his x mark,
Man-daw-min, his x mark,
Quay-guee, his x mark,
Aa-pen-naw-bee, his x mark,
Mat-cha-wee-yas, his x mark,
Mat-cha-pag-gish, his x mark,
Mongaw, his x mark,
Pug-gay-gaus, his x mark,
Ses-cobe-mesh, his x mark,
Chee-gwa-mack-gwa-go, his x mark,
Waw-seb-baw, his x mark,
Pee-chee-co, his x mark,

Quoi-quoi-taw, his x mark,
 Pe-an-nish, his x mark,
 Wy-ne-naig, his x mark,
 O-nuck-ke-meck, his x mark,
 Ka-way-sin, his x mark,
 A-meck-kose, his x mark,
 Os-see-meet, his x mark,
 Shaw-ko-to, his x mark,
 No-shay-we-quat, his x mark,
 Mee-gwun, his x mark,
 Mesh-she-ke-ten-now, his x mark,
 Kee-no-to-go, his x mark,
 Wa-baw-nee-she, his x mark,
 Shaw-waw-nay-see, his x mark,
 Atch-wee-muck-quee, his x mark,
 Pish-she-baw-gay, his x mark,
 Waw-ba-saye, his x mark,
 Meg-gea-seese, his x mark,
 Say-gaw-koo-nuck, his x mark,
 Shaw-way-no, his x mark,
 Shee-shaw-gun, his x mark,
 To-to-mee, his x mark,
 Ash-kee-wee, his x mark,
 Shay-auk-ke-bee, his x mark,
 Aw-be-tone, his x mark.

In presence of

Alex. Wolcott, jr. *Indian agent*,
 Jno. R. Williams, *Adj. Gen. M. Ma.*
 G. Godfroy, *Indian agent*,
 W. Knaggs, *Indian agent*,
 Jacob Visget,
 Henry I. Hunt,
 H. Phillips, *Paymr. U. S. Army*,
 R. Montgomery,
 Jacob B. Varnum, *U. S. Factor*,
 John B. Beaubien,
 Conrad Ten Eyck,
 J. Whippley,
 George Miles, jun.
 Henry Connor,
 James Barnard,
 John Kenzie, *Sub-agent*.

The tract reserved at the village of Match-e-be-nash-she-wish, at the head of the Ke-kal-i-ma-zoo river,* was by agreement to be three miles square. The extent of the reservation was accidentally omitted.

The tract at
 Matcheben-
 sashewish to
 be three miles
 square.

LEWIS CASS,
 SOLOMON SIBLEY.

[Note. The Wyandots are parties in common to Nos. 1, 2, 3, 5, 6, 8, 9, 12, 13, 16, 17, of this chapter, and sole parties to other treaties, for which see post, chap. 27. The Delawares, to Nos. 1, 2, 3, 4, 6, 7, 10, 12, 13, 16, and sole parties to others, for which see ante, chap. 1. The Chippewas, to Nos. 1, 2, 3, 6, 8, 9, 13, 14, 16, 19, 20, and sole parties to others, for which see post, chap. 30. The Ottawas are parties in common to Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 17, 19, 20, of this chapter. The Potawatamias, to

* Ante, 2d art. of this treaty.

Nos. 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 20, and sole parties to others, for which see post, chap. 15. The Sacs, to No. 2, of this chapter, and also are, with the Foxes, (who occupy the same territory and are united with them) parties to other treaties, for which see post, chap. 11. The Shawanees, to Nos. 3, 4, 6, 9, 12, 13, 16, 17, and sole parties to others, for which see post, chap. 7. The Miamies, to Nos. 3, 4, 7, 10, 11, 12, 13, and sole parties to others, for which see post, chap. 28. The Eel Rivers, are parties in common to Nos. 3, 4, 5, 7, 10, 11, of this chapter. The Weas, to Nos. 3, 4, 7, 14, and sole parties to others, for which see post, chap. 13. The Kickapoos, to Nos. 3, 4, 5, 14, and sole parties to others, for which see post, chap. 14. The Piankeshaws, to Nos. 3, 4, 5, and sole parties to others, for which see post, chap. 10. The Kaskaskias, to Nos. 3, 4, 5, 18, and sole parties to others, for which see post, chap. 9. The Munsees are parties in common to No. 6, of this chapter. The Senecas, are parties in common to Nos. 12, 13, 16, 17. [The Senecas who are here referred to, separated from the Senecas of New York, and emigrated to the state of Ohio, some years ago, where they now reside; the Senecas of New York, therefore, are in no ways connected with the treaties made with those of Ohio. For treaties, &c. in which the former are concerned, (and in some of which the latter were, of course, before their removal, also concerned,) see ante, chap. 2, Nos. 1, 2, 3, 4, 8, 9, 10, 11.] The Peoria, Mitchigamia, Cahokia, and Tamarois tribes of the Illinois nation, are parties in common to No. 18 of this chapter.]

CHAPTER IV.

Treaties with the Cherokees.

Treaty with the Cherokees.

No. 1. Articles concluded at Hopewell, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, commissioners plenipotentiary of the United States of America, of the one part, and the head men and warriors of all the Cherokees, of the other.

The United States give peace, &c.

The commissioners plenipotentiary of the United States in congress assembled, give peace to all the Cherokees, and receive them into the favor and protection of the United States of America, on the following conditions:

Prisoners, negroes, &c. to be restored by the Cherokees.

Art. 1. The head men and warriors of all the Cherokees, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty: they shall also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place, as the commissioners shall appoint.

Restoration of Indian prisoners.

Art. 2. The commissioners of the United States in congress assembled, shall restore all the prisoners taken from the Indians during the late war, to the head men and warriors of the Cherokees, as early as is practicable.

The Cherokees under the exclusive protection of the United States.

Art. 3. The said Indians, for themselves and their respective tribes and towns, do acknowledge all the Cherokees to be under the protection of the United States of America, and of no other sovereign whatsoever.

Boundary of the Cherokee

Art. 4. The boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of

the United States, within the limits of the United States of America, is, and shall be the following, viz. Beginning at the mouth of Duck river, on the Tennessee; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a northeast line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland Gap; thence to the mouth of Claud's creek on Holston; thence to the Chimney-top mountain; thence to Camp creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same southwest over the top of the Oconee mountain till it shall strike Tugalo river; thence a direct line to the top of the Currahee mountain; thence to the head of the south fork of Oconee river.

Art. 5. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary, which are hereby allotted to the Indians for their hunting grounds, or having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please: provided nevertheless, that this article shall not extend to the people settled between the fork of French Broad and Holston rivers, whose particular situation shall be transmitted to the United States in congress assembled, for their decision thereon, which the Indians agree to abide by.

Citizens settling on, or refusing to remove from, Cherokee hunting grounds, outlawed.

Proviso; in favor of certain settlers.

Art. 6. If any Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States, or person under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the United States: provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Robbers, murderers, &c. to be delivered up by the Cherokees.

Proviso; as to the degree of punishment.

Art. 7. If any citizen of the United States, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder or robbery, or other capital crime, had been committed on a citizen of the United States; and the punishment shall be in presence of some of the Cherokees, if any shall attend at the time and place, and may be pre-

Punishment of citizens for robbing or murdering Indians, &c.

Cherokees may be pre-

sent at the
punishment.

that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

Retaliation for
private inju-
ries re-
strained, &c.

Art. 8. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded first by a demand of justice; and if refused, then by a declaration of hostilities.

Congress to
regulate trade
with the Che-
rokees, &c.

Art. 9. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Temporary
liberty of
trade with the
Cherokee
towns, &c.

Art. 10. Until the pleasure of congress be known respecting the ninth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.

Cherokees to
give notice of
designs
against the
United States.

Art. 11. The said Indians shall give notice to the citizens of the United States, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whomsoever, against the peace, trade, or interest of the United States.

The Chero-
kees have a
right to send a
deputy to con-
gress.

Art. 12. That the Indians may have full confidence in the justice of the United States, respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to congress.

Peace and
friendship
universal, &c.

Art. 13. The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said states on the one part, and all the Cherokees on the other, shall be universal; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

In witness of all and every thing herein determined, between the United States of America and all the Cherokees, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this twenty-eighth of November, in the year of our Lord one thousand seven hundred and eighty-five.

Benjamin Hawkins,

Andw. Pickens,

Jos. Martin,

Lash'n M'Intosh,

Koatohee, or Corn Tassel of Toquo, his x mark,

Scholauetta, or Hanging Man of Chota, his x mark,

L. s.

L. s.

L. s.

L. s.

L. s.

L. s.

Tuskegetabu, or Long Fellow of Chistohoe, his x mark,	l. s.
Ooakwha, or Abraham of Chilkowa, his x mark,	l. s.
Kolakusta, or Prince of Noth, his x mark,	l. s.
Newota or the Gritts of Chicamaga, his x mark,	l. s.
Konatot, or the Rising Fawn of Highwassay, his x mark,	l. s.
Tuckasee, or Young Terrapin of Allajoy, his x mark,	l. s.
Toostaka, or the Waker of Oostanawa, his x mark,	l. s.
Untoola, or Gun Rod of Seteco, his x mark,	l. s.
Unsuokanail, Buffalo White Calf New Cussee, his x mark,	l. s.
Kostayek, or Sharp Fellow Wataga, his x mark,	l. s.
Chonosta, of Cowe, his x mark,	l. s.
Chesoonwho, Bird in Close of Tomothug, his x mark,	l. s.
Tuckasee, or Terrapin of Hightowa, his x mark,	l. s.
Chesetoe, or the Rabbit of Tlacoe, his x mark,	l. s.
Chesecotetona, or Yellow Bird of the Pine Log, his x mark,	l. s.
Sketaloska, Second Man of Tillico, his x mark,	l. s.
Chokasatahe, Chickasaw Killer Tasonta, his x mark,	l. s.
Onanoota, of Koosote, his x mark,	l. s.
Ookoseta, or Sower Mush of Kooloque, his x mark,	l. s.
Umatooetha, the Water Hunter Choikamawga, his x mark,	l. s.
Wyuka, of Lookout Mountain, his x mark,	l. s.
Tulco, or Tom of Chatuga, his x mark,	l. s.
Will, of Akoha, his x mark,	l. s.
Necatee, of Sawta, his x mark,	l. s.
Amokontakona, Kutcloa, his x mark,	i. c.
Kowetatahee, in Frog Town, his x mark,	l. s.
Keukuch, Talkoe, his x mark,	l. s.
Tulatiska, of Chaway, his x mark,	l. s.
Wooluka, the Waylayer, Chota, his x mark,	l. s.
Tatkiusta, or Porpoise of Tilassi, his x mark,	l. s.
John, of Little Tallico, his x mark,	l. s.
Skelelak, his x mark,	l. s.
Akonoluchta, the Cabin, his x mark,	l. s.
Cheanoka, of Kawetakac, his x mark,	l. s.
Yellow Bird, his x mark,	l. s.

Witness :

Wm. Blount,
 Saml. Taylor, *major*,
 John Owen,
 Jess. Walton,
 Jno. Cowan, *capt. commandant*,
 Thos. Gregg,
 W. Hazzard,
 James Madison, }
 Arthur Coodey, } *sworn interpreters.*

No. 2. A treaty of peace and friendship, made and concluded between the Treaty with president of the United States of America, on the part and behalf of the the Chero- said states, and the undersigned chiefs and warriors of the Cherokee na- kees. tion of Indians, on the part and behalf of the said nation.

The parties being desirous of establishing permanent peace and friendship between the United States and the said Chero- Mutual desire for peace, friendship, &c.
 kee nation, and the citizens and members thereof, and to re- move the causes of war, by ascertaining their limits and making other necessary, just, and friendly arrangements: the president of the United States, by William Blount, governor of

the territory of the United States of America south of the river Ohio, and superintendent of Indian affairs for the southern district, who is vested with full powers for these purposes, by and with the advice and consent of the senate of the United States: and the Cherokee nation, by the undersigned chiefs and warriors representing the said nation, have agreed to the following articles, namely:

Perpetual
peace and
friendship.

Art. 1. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the whole Cherokee nation of Indians.

Cherokees
under the pro-
tection of the
United States;
and not to
treat with
other powers,
&c.

Art. 2. The undersigned chiefs and warriors, for themselves and all parts of the Cherokee nation, do acknowledge themselves and the said Cherokee nation, to be under the protection of the United States of America, and of no other sovereign whosoever; and they also stipulate that the said Cherokee nation will not hold any treaty with any foreign power, individual state, or with individuals of any state.

Prisoners to
be mutually
restored.

Art. 3. The Cherokee nation shall deliver to the governor of the territory of the United States of America south of the river Ohio, on or before the first day of April next, at this place, all persons who are now prisoners, captured by them from any part of the United States: and the United States shall, on or before the same day, and at the same place, restore to the Cherokees, all the prisoners now in captivity, which the citizens of the United States have captured from them.

Boundary be-
tween the
United States
and the Che-
rokee nation.

Art. 4. The boundary* between the citizens of the United States and the Cherokee nation, is and shall be as follows: Beginning at the top of the Currahee mountain, where the Creek line passes it; thence a direct line to Tugelo river; thence northeast to the Occunna mountain, and over the same along the South Carolina Indian boundary to the North Carolina boundary; thence north to a point from which a line is to be extended to the river Clinch, that shall pass the Holston at the ridge which divides the waters running into Little River from those running into the Tennessee; thence up the river Clinch to Campbell's line, and along the same to the top of Cumberland mountain; thence a direct line to the Cumberland river where the Kentucky road crosses it; thence down the Cumberland river to a point from which a southwest line will strike the ridge which divides the waters of Cumberland from those of Duck river, forty miles above Nashville; thence down the said ridge to a point from whence a southwest line will strike the mouth of Duck river.

* For the boundary established in 1785, by the treaty of Hopewell, see ante, No. 1, article 4, of this chapter.

And in order to preclude forever all disputes relative to the said boundary, the same shall be ascertained, and marked plainly, by three persons appointed on the part of the United States, and three Cherokees, on the part of their nation.

Boundary to be ascertained by three citizens and three Cherokees.

And in order to extinguish forever all claims of the Cherokee nation, or any part thereof, to any of the land lying to the right of the line above described, beginning as aforesaid at the Currahee mountain, it is hereby agreed, that in addition to the consideration heretofore made for the said land, the United States will cause certain valuable goods to be immediately delivered to the undersigned chiefs and warriors, for the use of their nation; and the said United States will also cause the sum of one thousand dollars to be paid annually to the said Cherokee nation. And the undersigned chiefs and warriors do hereby, for themselves and the whole Cherokee nation, their heirs and descendants, for the considerations abovementioned, release, quit claim, relinquish, and cede, all the land to the right of the line described, and beginning as aforesaid.

Extinguishment of Cherokee claims.

The United States to deliver goods, and pay \$1,000 annually to the Cherokees.

Cherokee cession of land.

Art. 5. It is stipulated and agreed, that the citizens and inhabitants of the United States, shall have a free and unmolested use of a road from Washington district to Mero district, and of the navigation of the Tennessee river.

Free road from Washington to Mero, &c.

Art. 6. It is agreed on the part of the Cherokees, that the United States shall have the sole and exclusive right of regulating their trade.

Cherokee trade, &c.

Art. 7. The United States solemnly guaranty to the Cherokee nation, all their lands not hereby ceded.

Guaranty of Cherokee lands.

Art. 8. If any citizen of the United States, or other person, not being an Indian, shall settle on any of the Cherokees' lands, such person shall forfeit the protection of the United States, and the Cherokees may punish him or not, as they please.

Citizens settling on Cherokee lands, outlawed.

Art. 9. No citizen or inhabitant of the United States, shall attempt to hunt or destroy the game on the lands of the Cherokees; nor shall any citizen or inhabitant go into the Cherokee country, without a passport first obtained from the governor of some one of the United States, or territorial districts, or such other person as the president of the United States may, from time to time, authorize to grant the same.

No citizen to hunt on Cherokee lands.

Passports to go into the Cherokee country.

Art. 10. If any Cherokee Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall steal a horse from, or commit a robbery or murder, or other capital crime, on any citizens or inhabitants of the United States, the Cherokee nation shall be bound to deliver him or them up, to be punished according to the laws of the United States.

The Cherokees to deliver up criminals, &c.

Art. 11. If any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement, or territory belonging to the Cherokee

Punishment of citizens offending against friend-

by Indians in
Cherokee
towns, &c.

kees, and shall there commit any crime upon, or trespass against the person or property of any peaceable and friendly Indian or Indians, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders, shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

Retaliation for
private injuries,
restrained,
&c.

Art. 12. In case of violence on the persons or property of the individuals of either party, neither retaliation or reprisal shall be committed by the other, until satisfaction shall have been demanded of the party of which the aggressor is, and shall have been refused.

The Chero-
kees to give
notice of de-
signs against
the United
States.

Art. 13. The Cherokees shall give notice to the citizens of the United States, of any designs which they may know, or suspect, to be formed in any neighboring tribe, or by any person whatever, against the peace and interest of the United States.

The United
States to fur-
nish imple-
ments of hus-
bandry, &c.

Art. 14. That the Cherokee nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will, from time to time, furnish, gratuitously, the said nation with useful implements of husbandry; and further to assist the said nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such, and so many persons to reside in said nation, as they may judge proper, not exceeding four in number, who shall qualify themselves to act as interpreters. These persons shall have lands assigned by the Cherokees for cultivation for themselves and their successors in office; but they shall be precluded exercising any kind of traffic.

Interpreters.

Lands for In-
terpreters.

Animosities
to cease, &c.

Art. 15. All animosities for past grievances shall henceforth cease, and the contracting parties will carry the foregoing treaty into full execution with all good faith and sincerity.

This treaty to
take effect as
soon as ratifi-
ed.

Art. 16. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, with the advice and consent of the senate of the United States.

In witness of all and every thing herein determined between the United States of America and the whole Cherokee nation, the parties have hereunto set their hands and seals, at the treaty ground on the bank of the Holston, near the mouth of the French Broad, within the United States, this second day of July, in the year of our Lord one thousand seven hundred and ninety-one.

William Blount, governor in and over the territory of the U. S. of America south of the river Ohio, and superintendent of Indian affairs for the southern district.
1. s.

Chuleneh, or the Boots, his x mark,	l. s.
Squollecuttah, or Hanging Maw, his x mark,	l. s.
Occunna, or the Badger, his x mark,	l. s.
Enoleh, or Black Fox, his x mark,	l. s.
Nontuaka, or the Northward, his x mark,	l. s.
Tekakiaka, his x mark,	l. s.
Chutloh, or King Fisher, his x mark,	l. s.
Tuckaseh, or Terrapin, his x mark,	l. s.
Kateh, his x mark,	l. s.
Kunnochatutloh, or the Crane, his x mark,	l. s.
Cauquillehanah, or the Thigh, his x mark,	l. s.
Chesquotteleneh, or Yellow Bird, his x mark,	l. s.
Chickasawtehe, or Chickasaw Killer, his x mark,	l. s.
Tuskegatehe, Tuskega Killer, his x mark,	l. s.
Kulsatehe, his x mark,	l. s.
Tinkahalene, his x mark,	l. s.
Sawutteh, or Slave Catcher, his x mark,	l. s.
Aukuah, his x mark,	l. s.
Oosenaleh, his x mark,	l. s.
Kenotetah, or Rising Fawn, his x mark,	l. s.
Kanetetoka, or Standing Turkey, his x mark,	l. s.
Yonewatleh, or Bear at Home, his x mark,	l. s.
Long Will, his x mark,	l. s.
Kunoskeakie, or John Watts, his x mark,	l. s.
Nenetooyah, or Bloody Fellow, his x mark,	l. s.
Chuquiltague, or Double Head, his x mark,	l. s.
Koolaquah, or Big Acorn, his x mark,	l. s.
Toowayelloh, or Bold Hunter, his x mark,	l. s.
Jahleoonoyehka, or Middle Striker, his x mark,	l. s.
Kinnesah, or Cabin, his x mark,	l. s.
Tullotehe, or Two Killer, his x mark,	l. s.
Kaalouske, or Stopt Still, his x mark,	l. s.
Kulsatche, his x mark,	l. s.
Auquotague, the Little Turkey's son, his x mark,	l. s.
Taloheske, or Upsetter, his x mark,	l. s.
Cheakoneske, or Otter Lifter, his x mark,	l. s.
Keshukaune, or She Reigns, his x mark,	l. s.
Toonsunailoh, his x mark,	l. s.
Teesteke, or Common Disturber, his x mark,	l. s.
Robin M'Clemore,	l. s.
Skyuka,	l. s.
John Thompson, <i>interpreter</i> ,	
James Cery, <i>interpreter</i> .	

Done in presence of

Daniel Smith, *secretary of the territory of the U. States south of the river Ohio*,
 Thomas Kennedy, of Kentucky,
 James Robertson, of Mero District,
 Chaiborne Watkins, of Virginia,
 Joo. M^cWhitney, of Georgia,
 Fauche, of Georgia,
 Titus Ogden, North-Carolina,
 John Chisolm, of Washington District,
 Robert King,
 Thomas Gegg.

[*Note.* The boundaries prescribed in the fourth article of this treaty, are confirmed by the 2d article of that which immediately follows. But there is an alteration with respect to the annuity and the restitution of stolen horses. See the following treaty, No. 3, articles 3 and 4, of this chapter.]

ADDITIONAL ARTICLE.

Additional article to the treaty of Holston, of the 2d of July, 1791.

To the (next preceding) treaty made between the United States and the Cherokees, on the 2d day of July, one thousand seven hundred and ninety-one.

It is hereby mutually agreed, between Henry Knox, secretary of war, duly authorized thereto in behalf of the United States, on the one part, and the undersigned chiefs and warriors, in behalf of themselves and the Cherokee nation, on the other part, that the following article shall be added to, and considered as part of, the treaty made between the United States and the said Cherokee nation, on the 2d day of July, one thousand seven hundred and ninety-one, to wit:

\$1,500 to be paid, instead of \$1,000, &c.

The sum to be paid annually by the United States to the Cherokee nation of Indians, in consideration of the relinquishment of lands, as stated in the treaty* made with them on the second day of July, one thousand seven hundred and ninety-one, shall be one thousand five hundred dollars, instead of one thousand dollars, mentioned in the said treaty.

In testimony whereof, the said Henry Knox, secretary of war, and the said chiefs and warriors of the Cherokee nation, have hereunto set their hands and seals, in the city of Philadelphia, this seventeenth day of February, in the year of our Lord one thousand seven hundred and ninety-two.

H. Knox, <i>secretary of war,</i>	l. s.
Iskagwa, or Clear Sky, his x mark,	l. s.
<i>formerly</i>	
Nenetooyah, or Bloody Fellow,	
Nontuaka, or the Northward, his x mark,	l. s.
Chutloh, or Kingfisher, his x mark,	l. s.
Katigolah, or the Prince, his x mark,	l. s.
Teesteki, or Common Disturber, his x mark,	l. s.
Suaka, or George Miller, his x mark.	l. s.

In the presence of

Thomas Grooter,
Jno. Staggs, junr.
Leonard D. Shaw,
James Cerey, *sworn interpreter to the Cherokee nation.*

Treaty with the Cherokees.

(† See ante, No. 2, of this chapter.)

Former treaty not fully executed.

No. 3. Articles of a treaty between the United States of America, and the Cherokee Indians.

Whereas the treaty made and concluded on Holston river,† on the second day of July, one thousand seven hundred and ninety-one, between the United States of America and the Cherokee nation of Indians, has not been fully carried into execution by reason of some misunderstandings which have arisen:

* See ante, No. 2, article 4, of this chapter.

Art. 1. And whereas the undersigned Henry Knox, secretary for the department of war, being authorized thereto by the president of the United States, in behalf of the said United States, and the undersigned chiefs and warriors, in their own names, and in behalf of the whole Cherokee nation, are desirous of establishing peace and friendship between the said parties in a permanent manner, do hereby declare, that the said treaty of Holston is, to all intents and purposes, in full force, and binding upon the said parties, as well in respect to the boundaries therein mentioned, as in all other respects whatever.

The treaty of Holston, (ante, No. 2, of this chapter,) declared to be binding on both parties.

Art. 2. It is hereby stipulated that the boundaries mentioned in the fourth article of the said treaty, shall be actually ascertained and marked in the manner prescribed by the said article, whenever the Cherokee nation shall have ninety days' notice of the time and place at which the commissioners of the United States intend to commence their operation.

The boundaries to be marked, as stipulated in article 4.

(Ante, No. 2, of this chapter.)

Art. 3. The United States, to evince their justice, by amply compensating the said Cherokee nation of Indians for all relinquishments of land made, either by the treaty of Hopewell, upon the Keowee river,* concluded on the twenty-eighth of November, one thousand seven hundred and eighty-five, or the aforesaid treaty made upon Holston river,† on the second of July, one thousand seven hundred and ninety-one, do hereby stipulate, in lieu of all former sums to be paid annually, to furnish the Cherokee Indians with goods suitable for their use, to the amount of five thousand dollars yearly.‡

(* Ante, No. 1, of this chapter.)

(† Ante, No. 2, of this chapter.)

Annual supply of goods to the amount of \$5,000.

Art. 4. And the said Cherokee nation, in order to evince the sincerity of their intentions in future, to prevent the practice of stealing horses, attended with the most pernicious consequences to the lives and peace of both parties, do hereby agree, that for every horse which shall be stolen from the white inhabitants by any Cherokee Indians, and not returned within three months, that the sum of fifty dollars shall be deducted from the said annuity of five thousand dollars.

For every horse stolen by Cherokees, and not returned within three months, \$50 to be deducted.

Art. 5. The articles now stipulated will be considered as permanent additions to the treaty of Holston, as soon as they shall have been ratified by the president of the United States and the senate of the United States.

These articles permanent as soon as ratified.

In witness of all and every thing herein determined between the United States of America and the whole Cherokee nation, the parties have hereunto set their hands and seals in the city of Philadelphia, within the United States, this

‡ By the 4th article of the treaty of Holston, (ante, No. 2, of this chapter,) the United States stipulated to pay the Cherokees \$1,000 annually. This sum was subsequently increased to \$1,500 by an additional article to that treaty, concluded on the 17th day of February, in the year 1792. See the additional article referred to, following No. 2, and immediately preceding this treaty.

twenty-sixth day of June, in the year of our Lord one thousand seven hundred and ninety-four.

H. Knox, <i>secretary of war,</i>	l. s.
Tekakiaskee, or Taken out of the Water, his x mark,	l. s.
Nontuaka, or the Northward, his x mark,	l. s.
Cinasaw, or the Cabin, his x mark,	l. s.
Skyuka, his x mark,	l. s.
Chuquilatague, or Double Head, his x mark,	l. s.
John M'Clemore, his x mark,	l. s.
Walshue, or the Humming Bird, his x mark,	l. s.
Chuleowee, his x mark,	l. s.
Ustanaqua, his x mark,	l. s.
Kullusathae, his x mark,	l. s.
Sitcaha, his x mark,	l. s.
Keenaguna, or the Lying Fawn, his x mark,	l. s.
Chatakaleca, or the Fowl Carrier,	l. s.

Done in the presence of

John Thompson, } *interpreters,*
 Arthur Coodey, }
 Cantwell Jones, of Delaware,
 William Wofford, of the state of Georgia,
 W. M'Caleb, of South-Carolina,
 Samuel Lewis, of Philadelphia.

Treaty with
the Chero-
kees.

Delay in the
execution of
the treaty of
Holston, &c.

Treaty of
Philadelphia,
for ascertain-
ing bounda-
ries, as fixed
by the treaty
of Holston.

Further de-
lays, &c.

No. 4. Articles of a treaty between the United States of America, and the Cherokee Indians.

Whereas the treaty* made and concluded on Holston river, on the second day of July, in the year one thousand seven hundred and ninety-one, between the United States of America, and the Cherokee nation of Indians, had not been carried into execution, for some time thereafter, by reason of some misunderstandings which had arisen: and whereas, in order to remove such misunderstandings, and to provide for carrying the said treaty into effect, and for re-establishing more fully the peace and friendship between the parties, another treaty† was held, made, and concluded, by and between them, at Philadelphia, the twenty-sixth day of June, in the year one thousand seven hundred and ninety-four: in which, among other things, it was stipulated, that the boundaries mentioned in the fourth article of the said treaty of Holston, should be actually ascertained and marked, in the manner prescribed by the said article, whenever the Cherokee nation should have ninety days' notice of the time and place at which the commissioners of the United States intended to commence their operation: and whereas further delays in carrying the said fourth article into complete effect did take place, so that the boundaries mentioned and described therein, were not regularly ascertained and marked, un-

* See ante, No. 2, of this chapter. † Ante, No. 3, of this chapter.

til the latter part of the year one thousand seven hundred and ninety-seven ; before which time, and for want of knowing the direct course of the said boundary, divers settlements were made, by divers citizens of the United States, upon the Indian lands over and beyond the boundaries so mentioned and described in the said article, and contrary to the intention of the said treaties; but which settlers were removed from the said Indian lands, by authority of the United States, as soon after the boundaries had been so lawfully ascertained and marked as the nature of the case had admitted : and whereas, for the purpose of doing justice to the Cherokee nation of Indians, and remedying inconveniences arising to citizens of the United States from the adjustment of the boundary line between the lands of the Cherokees and those of the United States, or the citizens thereof, or from any other cause in relation to the Cherokees ; and in order to promote the interests and safety of the said states, and the citizens thereof, the president of the United States, by and with the advice and consent of the senate thereof, hath appointed George Walton, of Georgia, and the president of the United States hath also appointed lieutenant colonel Thomas Butler commanding the troops of the United States in the state of Tennessee, to be commissioners for the purpose aforesaid ; and who, on the part of the United States, and the Cherokee nation, by the undersigned chiefs and warriors, representing the said nation, have agreed to the following articles, namely :

Citizens ignorant of the course of the boundary, and settled on Indian lands, removed, &c.

This treaty entered into for the purposes of justice, and for remedying inconveniences,

Art. 1. The peace and friendship subsisting between the United States and the Cherokee people, are hereby renewed, continued, and declared perpetual.

Peace and friendship renewed.

Art. 2. The treaties subsisting between the present contracting parties, are acknowledged to be of full and operating force ; together with the construction and usage under their respective articles, and so to continue.

Subsisting treaties recognized. Ante, Nos. 1, 2, and 3, of this chap.

Art. 3. The limits and boundaries of the Cherokee nation, as stipulated and marked by the existing treaties between the parties, shall be and remain the same, where not altered by the present treaty.

Boundaries as heretofore, where not altered. See ante, No. 3, art. 2, of this chapter.

Art. 4. In acknowledgment for the protection of the United States, and for the considerations hereinafter expressed and contained, the Cherokee nation agree, and do hereby relinquish and cede to the United States, all the lands within the following points and lines, viz : from a point on the Tennessee river, below Tellico block house, called the Wildcat Rock, in a direct line to the Militia spring, near the Maryville road leading from Tellico. From the said spring to the Chillhowie mountain, by a line so to be run, as will leave all the farms on Nine Mile Creek to the northward and eastward of it ; and to be continued along Chillhowie mountain, until it strikes Hawkins's Line. Thence along the said line to the great Iron mountain ; and

Cession of lands by the Cherokees.

from the top of which a line to be continued in a southeastwardly course to where the most southwardly branch of Little river crosses the divisional line to Tugalo river: from the place of beginning, the Wildcat Rock, down the northeast margin of the Tennessee river (not including islands) to a point or place one mile above the junction of that river with the Clinch, and from thence by a line to be drawn in a right angle, until it intersects Hawkins's line leading from Clinch. Thence down the said line to the river Clinch; thence up the said river to its junction with Emmerly's river; and thence up Emmerly's river to the foot of Cumberland mountain. From thence a line to be drawn, northeastwardly, along the foot of the mountain, until it intersects with Campbell's line.

Two commissioners to be appointed to run and mark the line of ceded lands.

Art. 5. To prevent all future misunderstanding about the line described in the foregoing article, two commissioners shall be appointed to superintend the running and marking the same, where not ascertained by the rivers, immediately after signing this treaty; one to be appointed by the commissioners of the United States, and the other by the Cherokee nation; and who shall cause three maps or charts thereof to be made out; one whereof shall be transmitted and deposited in the war office of the United States; another with the executive of the state of Tennessee, and the third with the Cherokee nation, which said line shall form a part of the boundary between the United States and the Cherokee nation.

The United States to deliver goods, &c. to the amount of \$5,000. Additional annuity of \$1,000.

Art. 6. In consideration of the relinquishment and cession hereby made, the United States, upon signing the present treaty, shall cause to be delivered to the Cherokees, goods, wares, and merchandise, to the amount of five thousand dollars, and shall cause to be delivered, annually, other goods, to the amount of one thousand dollars, in addition to the annuity already provided for;* and will continue the guarantee of the remainder of their country forever, as made and contained in former treaties.

The Kentucky road to be open and free, &c.

Art. 7. The Cherokee nation agree, that the Kentucky road, running between the Cumberland mountain and the Cumberland river, where the same shall pass through the Indian land, shall be an open and free road for the use of the citizens of the United States, in the like manner as the road from Southwest Point to Cumberland river. In consideration of which it is hereby agreed on the part of the United States, that until settlements shall make it improper, the Cherokee hunters shall be at liberty to hunt and take game upon the lands relinquished and ceded by this treaty.

The Cherokees may hunt on the lands relinquished until settled.

* By the 3d article of the treaty of Philadelphia, (ante, No. 3, of this chapter,) the United States agree to furnish the Cherokee Indians with goods suitable for their use, to the amount of \$5,000 yearly, in lieu of all former sums to be paid annually. This addition of \$1,000 per annum, makes the annuity, on the 3d of October, 1798, \$6,000 in the whole.

Art. 8. Due notice shall be given to the principal towns of the Cherokees, of the time proposed for delivering the annual stipends; and sufficient supplies of provisions shall be furnished, by and at the expense of the United States, to subsist such reasonable number that may be sent, or shall attend to receive them, during a reasonable time.

Notice to the Cherokees of the time for delivering annual stipends,

Art. 9. It is mutually agreed between the parties, that horses stolen and not returned within ninety days, shall be paid for at the rate of sixty dollars each; if stolen by a white man, citizen of the United States, the Indian proprietor shall be paid in cash; and if stolen by an Indian from a citizen, to be deducted as expressed in the fourth article of the treaty of Philadelphia.* This article shall have retrospect to the commencement of the first conferences at this place in the present year, and no further. And all animosities, aggressions, thefts, and plunderings, prior to that day, shall cease, and be no longer remembered or demanded on either side.

Stolen horses, not returned in ninety days, to be paid for.

Oblivion of animosities.

Art. 10. The Cherokee nation agree, that the agent who shall be appointed to reside among them from time to time, shall have a sufficient piece of ground allotted for his temporary use.

Ground allowed for an agent.

And lastly, this treaty, and the several articles it contains, shall be considered as additional to, and forming a part of, treaties already subsisting between the United States and the Cherokee nation, and shall be carried into effect on both sides, with all good faith, as soon as the same shall be approved and ratified by the president of the United States, and the senate thereof.

The articles of this treaty additional to those already subsisting.

In witness of all and every thing herein determined between the United States of America, and the whole Cherokee nation, the parties hereunto set their hands and seals in the council house, near Tellico, on Cherokee ground, and within the United States, this second day of October, in the year one thousand seven hundred and ninety-eight, and in the twenty-third year of the independence and sovereignty of the United States.

Thos. Butler,
Geo. Walton,
Nenetuah, or Bloody Fellow, his x mark,
Ostaiah, his x mark,
Jaunne, or John, his x mark,
Oortlokecteh, his x mark,
Chockonnistaller, or Stallion, his x mark,
Noothoietah, his x mark,
Kunnateelah, or Rising Fawn, his x mark,
Utturah, or Skin Worm, his x mark,
Weelee, or Will, his x mark,
Oolasoteh, his x mark,
Tlorene, his x mark,
Jonnurteekee, or Little John,

l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.

* See ante, No. 3, of this chapter.

Oonastakoteehee, his x mark,	l. a.
Kandwsurkee, or Broom, his x mark,	l. a.
Yonah Oolah, Bear at Home, his x mark,	l. a.
Tankaalenee, or Thick Legs, his x mark,	l. a.
Oorkulaukee, his x mark,	l. a.
Kumamah, or Butterfly, his x mark,	l. a.
Chattakuteehee, his x mark,	l. a.
Kanitta, or Little Turkey, his x mark,	l. a.
Kettegiskie, his x mark,	l. a.
Tauquotihee, or the Glass, his x mark,	l. a.
Chuquilatague, his x mark,	l. a.
Salleekookoolah, his x mark,	l. a.
Tallotuskee, his x mark,	l. a.
Chellokee, his x mark,	l. a.
Tuskeegatee, or Long Fellow, his x mark,	l. a.
Neekaanneah, or Woman Holder, his x mark,	l. a.
Kulsateehee, his x mark,	l. a.
Keetakeuskah, or Prince, his x mark,	l. a.
Charley, his x mark,	l. a.
Akooh, his x mark,	l. a.
Sawanookeh, his x mark,	l. a.
Yonahequah, or Big Bear, his x mark,	l. a.
Keenahktumah, his x mark,	l. a.
Kaweesoolaskee, his x mark,	l. a.
Teekakalohenah, his x mark,	l. a.
Ookousetech, or John Taylor, his x mark,	l. a.
Chochuchee, his x mark,	l. a.

Witnesses.

Elisha I. Hall, <i>secretary of the commission,</i>	l. a.
Bilas Dinsmoor, <i>I. agent to the Cherokees,</i>	l. a.
John W. Hooker, <i>U. S. factor,</i>	l. a.
Edw. Butler, <i>capt. commanding at Tellico,</i>	l. a.
Robert Purdy, <i>lieut. 4th U. S. regt.</i>	l. a.
Ludwell Grymes,	l. s.
Jno. McDonald,	l. s.
Daniel Ross,	l. s.
Mattw. Wallace, esquire,	l. s.
Saml. Hanly,	l. s.
Michael McKinsey,	l. s.
Chs. Hicks, <i>interpreter,</i>	l. s.
James Cazez, <i>interpreter,</i>	l. s.
John Thompson,	l. s.

Treaty with
the Chero-
kees, 1804.

No. 5. Articles of a treaty between the United States of America and the Cherokee Indians.

Agree to the
following arti-
cles.

Daniel Smith and Return J. Meigs, being commissioned by Thomas Jefferson, President of the United States, with powers of acting in behalf of the said United States, in arranging certain matters with the Cherokee nation of Indians; and the underwritten principal chiefs, representing the said nation, having met the said commissioners in a conference at Tellico, and having taken into their consideration certain propositions made to them by the said commissioners of the United States; the parties aforesaid, have unanimously agreed and stipulated, as is definitely expressed in the following articles:

Art. 1. For the considerations hereinafter expressed, the Cherokee nation relinquish and cede to the United States, a tract of land bounding, southerly, on the boundary line between the state of Georgia, and the said Cherokee nation, beginning at a point on the said boundary line northeasterly of the most northeast plantation in the settlement known by the name of Wafford's settlement, and running at right angles with the said boundary line four miles in the Cherokee lands; thence at right angles southwesterly and parallel to the first mentioned boundary line, so far as that a line, to be run at right angles southerly to the said first mentioned boundary line, shall include, in this cession, all the plantations in Wafford's settlement, so called, as aforesaid.

A tract of land
ceded to the
U. States.

Art. 2. For, and in consideration of, the relinquishment and cession, as expressed in the first article, the United States, upon signing the present treaty, shall cause to be delivered to the Cherokees, useful goods, wares, and merchandise, to the amount of five thousand dollars, or that sum in money, at the option (timely signified) of the Cherokees, and shall, also, cause to be delivered, annually, to them, other useful goods to the amount of one thousand dollars, or money to that amount, at the option of the Cherokees, timely notice thereof being given, in addition to the annuity, heretofore stipulated, and to be delivered at the usual time of their receiving their annuity.

Useful goods,
&c. to the
amount of
\$5,000 to be
paid them as
an annuity.

In witness of all and every thing, herein determined, between the United States and the Cherokee nation, the parties have hereunto set their hands and seals, in the garrison of Tellico, on Cherokee ground, within the United States, this twenty-fourth day of October, in the year one thousand eight hundred and four, and in the twenty-ninth year of the independence and sovereignty of the United States.

Daniel Smith,
Return J. Meigs,
Molluntuskie, his x mark,
Broom, his x mark,
John McLamore, his x mark,
Quotequeskee, his x mark,
Path Killer, his x mark,
Tagustiskee, his x mark,
Tullo, his x mark,
Sour Mush, his x mark,
Keatebee, his x mark,
James Vann.

Witnesses :

Rob. Purdy, secretary,
John McKee,
Jno. Campbell, cap. 2d U. States' regt. commanding,
John Brahan, lieut. 2d reg't. Infantry,
Thos. J. Van Dyke, surgeon's mate,

Wm. Chapp,
Hinchey Pettway,
Wm. L. Lovely, *ass't ag't*,
Ch. Hicks, *interpreter*.

Treaty with
the Chero-
kees.

No. 6. Articles of a treaty agreed upon between the United States of America, by their commissioners Return J. Meigs and Daniel Smith, appointed to hold conferences with the Cherokee Indians, for the purpose of arranging certain interesting matters with the said Cherokees, of the one part, and the undersigned chiefs and head men of the said nation, of the other part.

Former treat-
ies recogni-
zed.

Art. 1. All former treaties, which provide for the maintenance of peace and preventing of crimes, are, on this occasion, recognized and continued in force.

The Chero-
kees quit
claim, &c. to
certain lands,
lying north of
the boundary
line here de-
scribed.

Art. 2. The Cherokees quit claim and cede to the United States, all the land which they have heretofore claimed, lying to the north of the following boundary line: beginning at the mouth of Duck river, running thence up the main stream of the same to the junction of the fork, at the head of which fort Nash stood, with the main south fork: thence a direct course to a point on the Tennessee river bank opposite the mouth of Hiwassee river. If the line from Hiwassee should leave out Field's settlement, it is to be marked round this improvement, and then continued the stright course; thence up the middle of the Tennessee river, (but leaving all the islands to the Cherokees,) to the mouth of Clinch river; thence up the Clinch river to the former boundary line agreed upon with the said Cherokees, reserving, at the same time, to the use of the Cherokees, a small tract lying at and below the mouth of Clinch river; from the mouth extending thence down the Tennessee river, from the mouth of Clinch to a notable rock on the north bank of the Tennessee, in view from Southwest Point; thence a course at right angles with the river, to the Cumberland road; thence eastwardly along the same, to the bank of Clinch river, so as to secure the ferry landing to the Cherokees up to the first hill, and down the same to the mouth thereof, together with two other sections of one square mile each, one of which is at the foot of Cumberland mountain, at and near the place where the turnpike gate now stands; the other on the north bank of the Tennessee river, where the Cherokee Talootiske now lives. And whereas, from the present cession made by the Cherokees, and other circumstances, the site of the garrisons at Southwest Point and Tellico, are become not the most convenient and suitable places for the accommodation of the said Indians, it may become expedient to remove the said garrisons and factory to some more suitable place; three other square miles are reserved for the particular disposal of the United States on the north bank of the Tennessee, opposite to and below the mouth of Hiwassee.

Islands in
Tennessee
river, &c.

Reservation to
the Chero-
kees.

Ferry landing
to the Chero-
kees, &c.

Removal of
garrisons and
factory, &c.

Art. 3. In consideration of the above cession and relinquishment, the United States agree to pay immediately three thousand dollars in valuable merchandise, and eleven thousand dollars within ninety days after the ratification of this treaty, and also an annuity of three thousand dollars, the commencement of which is this day. But so much of the said eleven thousand dollars, as the said Cherokees may agree to accept in useful articles of, and machines for, agriculture and manufactures, shall be paid in those articles, at their option.

The United States to pay \$14,000; and an annuity of \$3,800.

Implements of agriculture, &c.

Art. 4. The citizens of the United States shall have the free and unmolested use and enjoyment of the two following described roads, in addition to those which are at present established through their country; one to proceed from some convenient place near the head of Stone's river, and fall into the Georgia road at a suitable place towards the southern frontier of the Cherokees. The other to proceed from the neighborhood of Franklin, or Big Harpath, and crossing the Tennessee at or near the Muscle Shoals, to pursue the nearest and best way to the settlements on the Tombigbee. These roads shall be viewed and marked out by men appointed on each side for that purpose; in order that they may be directed the nearest and best ways, and the time of doing the business, the Cherokees shall be duly notified.

Free use of (two described roads, &c.

The roads to be viewed and marked out.

Art. 5. This treaty shall take effect and be obligatory on the contracting parties, as soon as it is ratified by the president of the United States, by and with the advice and consent of the senate of the same.

This treaty to be obligatory as soon as ratified.

In testimony whereof, the said commissioners, and the undersigned chiefs and head men of the Cherokees, have hereto set their hands and seals.

Done at Tellico, the twenty-fifth day of October, one thousand eight hundred and five.

Return J. Meigs,	l. s.
Daniel Smith,	d.
Fox, or Ennolee, his x mark,	l. s.
Path Killer, or Nenohuttahe, his x mark,	l. s.
Glass, or Tanquatchee, his x mark,	l. s.
Double Head, or Chuqualutauge, his x mark,	l. s.
Dick Justice, his x mark,	l. s.
Tounhull, or Toonayeh, his x mark,	l. s.
Turtle at Home, or Sullicoahwolu, his x mark,	l. s.
Chenawee, his x mark,	l. s.
Slave Boy, or Oosunabee, his x mark,	l. s.
Tallotiskee, his x mark,	l. s.
Broom, or Cunneweesoskee, his x mark,	l. s.
John Greenwood, or Sour Mush, his x mark,	l. s.
Chulioah, his x mark,	l. s.
Katigiskee, his x mark,	l. s.
William Shawry, or Eskaculiskee, his x mark,	l. s.
Taochalar, his x mark,	l. s.
James Davis, or Coowusaliskee, his x mark,	l. s.

John Jolly, or Eulstakee, his x mark,	l. s.
Bark, or Eullooka, his x mark,	l. s.
John McLemore, or John Euskulacau, his x mark,	l. s.
Big Bear, or Yohanaqua, his x mark,	l. s.
Dreadfulwater, or Aumaudoskee, his x mark,	l. s.
Challaugittihce, his x mark,	l. s.
Calliskee, or Knife Sheath, his x mark,	l. s.
Closenee, his x mark,	l. s.
Challow, or Kingfisher, his x mark,	l. s.
John Watts, jun. his x mark,	l. s.
Sharp Arrow, or Costarauh, his x mark,	l. s.
John Dougherty, or Long John, his x mark,	l. s.
Tuckasee, or Terrapin, his x mark,	l. s.
Tuskegittihce, or Long Fellow, his x mark,	l. s.
Tochuwor, or Red Bird, his x mark,	l. s.
Catihee, or Badgerson, his x mark,	l. s.

Witnesses :

Rob. Purdy, *secretary to the commissioners,*
 W. Yates, *lt. 3 U. S. arts.*
 Wm. L. Lovely, *assistant agent,*
 Nicholas Byers, *United States' factor,*
 Co. W. Campbell,
 Will. Polk,
 James Blair,
 Jno. Smith, T.
 Thomas N. Clark,
 Chs. Hicks, *interpreter.*

Treaty with
the Chero-
kees.

No. 7. Articles of a treaty between the United States of America, by their commissioners, Return J. Meigs and Daniel Smith, who are appointed to hold conferences with the Cherokees, for the purpose of arranging certain interesting matters with the said Indians, of the one part, and the undersigned chiefs and head men of the Cherokees, of the other part.

The land on
which the gar-
rison of South-
west Point
stands, ceded
to the United
States for the
use of Ten-
nessee.

Art. 1. Whereas it has been represented by the one party to the other, that the section of land on which the garrison of Southwest Point stands, and which extends to Kingston, is likely to be a desirable place for the assembly of the state of Tennessee to convene at, (a committee from that body now in session having viewed the situation,) now, the Cherokees being possessed of a spirit of conciliation, and seeing that this tract is desired for public purposes, and not for individual advantages, reserving the ferries to themselves, quit claim, and cede to the United States the said section of land, understanding, at the same time, that the buildings erected by the public are to belong to the public, as well as the occupation of the same, during the pleasure of the government; we also cede to the United States the first island in the Tennessee, above the mouth of Clinch.

Ferries re-
served to the
Cherokees.

Cession of an
island in the
Tennessee.

Free use of a
mail road from
Tellico to
Tombigbee,
which is to be
laid out, &c.

Art. 2. And whereas the mail of the United States is ordered to be carried from Knoxville to New Orleans, through the Cherokee, Creek, and Choctaw countries; the Cherokees agree, that the citizens of the United States shall have, so far

as it goes through their country, the free and unmolested use of a road leading from Tellico to Tombigbee, to be laid out by viewers appointed on both sides, who shall direct it the nearest and best way; and the time of doing the business the Cherokees shall be notified of.

Art. 3. In consideration of the above cession and relinquishment, the United States agree to pay to the said Cherokee Indians, sixteen hundred dollars in money, or useful merchandise, at their option, within ninety days after the ratification of this treaty. The United States to pay \$1,600 in money or merchandise.

Art. 4. This treaty shall be obligatory between the contracting parties, as soon as it is ratified by the president, by and with the advice and consent of the senate of the United States. This treaty to be binding as soon as ratified.

In testimony whereof, the said commissioners, and the undersigned chiefs and head men of the Cherokees, have hereto set their hands and seals.

Done at Tellico, this twenty-seventh day of October, in the year of our Lord one thousand eight hundred and five.

Return J. Meigs,	l. s.
Danl. Smith,	l. s.
Black Fox, or Ennone, his x mark,	l. s.
The Glass, or Tunnquetihee, his x mark,	l. s.
Kutigeskee, his x mark,	l. s.
Toochalar, his x mark,	l. s.
Turtle at Home, or Sullicoekiewalar, his x mark,	l. s.
Dick Justice, his x mark,	l. s.
John Greenwood, or Eakosetta, his x mark,	l. s.
Chulevah, or Gentleman Tom, his x mark,	l. s.
Broom, or Cannarwesoke, his x mark,	l. s.
Bald Hunter, or Toowayullau, his x mark,	l. s.
John Melamere, or Euquellooka, his x mark,	l. s.
Closenie, or Creeping, his x mark,	l. s.
Double Head, or Chuquacuttague, his x mark,	l. s.
Chicasawtihee, Chicasaw thue Killer, his x mark,	l. s.

Witnesses :

Robert Purdy, *secretary to the commissioners,*
 William Yates, *D. Comm'y,*
 Nicholas Byers, *United States' factor,*
 Wm. Lovely, *assistant agent,*
 B. 'Ghee,
 Saml. Love,
 James Blair,
 Hopkins Lacey,
 Cha. Hicks, *interpreter.*

No. 8. Articles of a convention made between Henry Dearborn, secretary of Convention war, being specially authorized thereto by the president of the United with the Cherokee States; and the undersigned chiefs and head men of the Cherokee nation of Indians, duly authorized and empowered by said nation.

Art. 1. The undersigned chiefs and head men of the Cherokee nation of Indians, for themselves and in behalf of their nation, Relinquish-ment of claims to

lands north of
the Ten-
nessee, &c.

Exemption.
1st reserva-
tion.

2d reservation.

Property of
the reserva-
tions.

Relinquish-
ment of the
Long Island.

The United
States to pay
\$2,000 in
money, on
ratification:

And \$2,000
in each of the
four succeed-
ing years.
Grist mill.

Machine for
cleaning cot-
ton.

Annuity of
\$100 to
Black Fox.

tion, relinquish to the United States all right, title, interest, and claim, which they or their nation have or ever had to all that tract of country which lies to the northward of the river Tennessee, and westward of a line to be run from the upper part of the Chickasaw Old Fields, at the upper point of an island, called Chickasaw island, on said river, to the most easterly head waters of that branch of said Tennessee river called Duck river, excepting the two following described tracts, viz. one tract bounded southerly on the said Tennessee river, at a place called the Muscle Shoals, westerly by a creek called Tekeetanoeh, or Cyprus creek, and easterly by Chuwakee, or Elk river, or creek, and northerly by a line to be drawn from a point on said Elk river, ten miles on a direct line from its mouth or junction with Tennessee river, to a point on the said Cyprus creek, ten miles on a direct line from its junction with the Tennessee river.

The other tract is to be two miles in width, on the north side of Tennessee river, and to extend northerly from that river three miles, and bounded as follows, viz. beginning at the mouth of Spring creek, and running up said creek three miles on a straight line, thence westerly two miles at right angles, with the general course of said creek, thence southerly on a line parallel with the general course of said creek, to the Tennessee river, thence up said river by its waters to the beginning: which first reserved tract is to be considered the common property of the Cherokees who now live on the same, including John D. Chesholm, Autowwe, and Chechout; and the other reserved tract, on which Moses Melton now lives, is to be considered the property of said Melton and Charles Hicks, in equal shares.

And the said chiefs and head men also agree to relinquish to the United States all right or claim which they or their nation have to what is called the Long Island, in Holston river.

Art. 2. The said Henry Dearborn, on the part of the United States, hereby stipulates and agrees, that in consideration of the relinquishment of title by the Cherokees, as stated in the preceding article, the United States will pay to the Cherokee nation two thousand dollars in money, as soon as this convention shall be duly ratified by the government of the United States; and two thousand dollars in each of the four succeeding years, amounting in the whole to ten thousand dollars; and that a grist-mill shall, within one year from the date hereof, be built in the Cherokee country, for the use of the nation, at such place as shall be considered most convenient; that the said Cherokees shall be furnished with a machine for cleaning cotton; and also, that the old Cherokee chief, called the Black Fox, shall be paid annually one hundred dollars by the United States during his life.

Art. 3. It is also agreed on the part of the United States, that the government thereof, will use its influence and best endeavors to prevail on the Chickasaw nation of Indians, to agree to the following boundary between that nation and the Cherokees, to the southward of the Tennessee river, viz. beginning at the mouth of Caney creek, near the lower part of the Muscle Shoals, and to run up the said creek to its head, and in a direct line from thence to the Flat Stone or Rock, the old corner boundary.

The United States to use its influence with the Chickasaws to agree to the boundary line here described, &c.

But it is understood by the contracting parties, that the United States do not engage to have the aforesaid line or boundary established, but only to endeavor to prevail on the Chickasaw nation to consent to such a line as the boundary between the two nations.

The United States not bound to establish the line, &c.

Art. 4. It is further agreed on the part of the United States, that the claims which the Chickasaws may have to the two tracts reserved by the first article of this convention on the north side of the Tennessee river, shall be settled by the United States in such manner as will be equitable, and will secure to the Cherokees the title to the said reservations.

The United States to quiet the Chickasaw claims to the two tracts reserved by 1st article of this treaty.

Done at the place, and on the day and year first above written.*

Henry Dearborn,	l. s.
Double Head, his x mark,	l. s.
James Vanu, his x mark,	l. s.
Tallotiskec, his x mark,	l. s.
Chulioa, his x mark,	l. s.
Sour Mush, his x mark,	l. s.
Turtle at home, his x mark,	l. s.
Katihuh, his x mark,	l. s.
John McLemore, his x mark,	l. s.
Broom, his x mark,	l. s.
John Jolly, his x mark,	l. s.
John Lowry, his x mark,	l. s.
Red Bird, his x mark,	l. s.
John Walker, his x mark,	l. s.
Young Wolf, his x mark,	l. s.
Skeuha, his x mark,	l. s.
Sequechu, his x mark,	l. s.
Wm. Showry, his x mark,	l. s.

In presence of

Return J. Meigs,
Benjamin Hawkins,
Daniel Smith,
John Smith,
Andrew M'Clary,
John M'Clary.

* It does not appear by the treaty, that there is any place, day, or year, "first above written." But the proclamation of the convention, by the president of the United States, declares that it was "concluded at the city of Washington, on the 7th day of January, 1806."

I certify the foregoing convention has been faithfully interpreted.

CHARLES HICKS, *interpreter.*

Declaration of the intention of the parties in relation to the cession of a tract of country by the Cherokees, by the convention of Washington, of the 7th of January, 1806. See ante, No. 7, art. 1, of this chapter.

No. 9. Elucidation of the convention of Washington, of the 7th of January, 1806.

Eastern boundary of the tract ceded.

The United States to pay the Cherokees \$2,000.

The Cherokees may hunt on the ceded tract, until settled, &c.

[* See ante, No. 7, of this chapter.]

Whereas, by the first article of a convention between the United States, and the Cherokee nation, entered into at the city of Washington, on the seventh day of January, one thousand eight hundred and six, it was intended on the part of the Cherokee nation, and so understood by the secretary of war, the commissioner on the part of the United States, to cede to the United States all the right, title, and interest, which the said Cherokee nation ever had to a tract of country contained between the Tennessee river and the Tennessee ridge; (so called;) which tract of country had, since the year one thousand seven hundred and ninety-four, been claimed by the Cherokees and the Chickasaws; the eastern boundary whereof is limited by a line so to be run from the upper part of the Chickasaw Old Fields, as to include all the waters of Elk river, any thing expressed in said convention to the contrary notwithstanding. It is therefore now declared, by James Robertson and Return J. Meigs, acting under the authority of the executive of the United States, and by a delegation of Cherokee chiefs, of whom Eunolee, or Black Fox, the king or head chief of said Cherokee nation, acting on the part of and in behalf of said nation, is one, that the eastern limits of said ceded tract shall be bounded by a line so to be run from the upper end of the Chickasaw Old Fields, a little above the upper point of an island, called Chickasaw island, as will most directly intersect the first waters of Elk river, thence carried to the great Cumberland mountain, in which the waters of Elk river have their source, then along the margin of said mountain, until it shall intersect lands heretofore ceded to the United States, at the said Tennessee ridge. And in consideration of the readiness shown by the Cherokees to explain, and to place the limits of the land ceded by the said convention out of all doubt, and in consideration of their expenses in attending council, the executive of the United States will direct that the Cherokee nation shall receive the sum of two thousand dollars, to be paid to them by their agent, at such time as the said executive shall direct, and that the Cherokee hunters, as hath been the custom in such cases, may hunt on said ceded tract, until, by the fullness of settlers, it shall become improper. And it is hereby declared by the parties, that this explanation ought to be considered as a just elucidation of the cession made by the first article of said convention.*

Done at the point of departure of the line at the upper end of the island opposite to the upper part of the said Chickasaw Old Fields, the eleventh day of September, in the year one thousand eight hundred and seven.

James Robertson,
Return J. Meigs,
Eunolee, or Black Fox, his x mark,
Fauquitee, or Glas, his x mark,
Fulaquokoko, or Turtle at home, his x mark,
Richard Brown, his x mark,
Sowolotob, king's brother, his x mark.

Witnesses present :

Thomas Freeman,
Thomas Orne.

No. 10. Articles of a treaty made and concluded at the city of Washington, on the twenty-second day of March, one thousand eight hundred and sixteen, between George Graham, being specially authorized by the president of the United States thereto, and the undersigned chiefs and head men of the Cherokee nation, duly authorized and empowered by the said nation.

Treaty with
the Chero-
kees.

Art. 1. Whereas the executive of the state of South Carolina has made an application to the president of the United States to extinguish the claim of the Cherokee nation, to that part of their lands which lie within the boundaries of the said state, as lately established and agreed upon between that state and the state of North Carolina; and as the Cherokee nation is disposed to comply with the wishes of their brothers of South Carolina, they have agreed and do hereby agree, to cede to the state of South Carolina, and forever quit claim to the tract of country contained within the following bounds, viz : beginning on the east bank of the Chattuga river, where the boundary line of the Cherokee nation crosses the same, running thence with the said boundary line to a rock on the blue ridge, where the boundary line crosses the same, and which rock has been lately established as a corner to the states of North and South Carolina, running thence south, sixty-eight and a quarter degrees, west, twenty miles and thirty-two chains, to a rock on the Chattuga river, at the thirty-fifth degree of north latitude, another corner of the boundaries agreed upon by the states of North and South Carolina, thence down and with the Chattuga to the beginning.

S. Carolina
desires to
extinguish the
Cherokee title
within her
limits, and
Cherokees
disposed to
comply with
her wishes,
and agree to
make a cession,
&c.

Art. 2. For and in consideration of the above cession, the United States promise and engage that the state of South Carolina shall pay to the Cherokee nation, or its accredited agent, the sum of five thousand dollars within ninety days after the president and senate shall have ratified this treaty : *Provided*, that the Cherokee nation shall have sanctioned the same in

S. Carolina to
pay Chero-
kees \$5,000
within 90 days
after the rati-
fication of this
treaty, &c.

council: and provided also that the executive of the state of South Carolina, shall approve of the stipulations contained in this article.

In testimony whereof, the said commissioner, and the undersigned chiefs and head men of the Cherokee nation, have hereto set their hands and seals.

George Graham,	l. s.
Colonel John Lowry, his x mark,	l. s.
Major John Walker, his x mark,	l. s.
Major Ridge, his x mark,	l. s.
Richard Taylor,	l. s.
John Ross,	l. s.
Cheucuncene, his x mark.	l. s.

Witnesses present at signing and sealing:

Return J. Meigs,
Jacob Laub,
Gid. Davis.

Treaty with
the Chero-
kees.

No. 11. Articles of a convention made and entered into between George Graham, specially authorized thereto by the president of the United States, and the undersigned chiefs and head men of the Cherokee nation, duly authorized and empowered by the said nation.

Doubts in relation to the northern boundary of the Creek lands ceded by the treaty of fort Jackson. [Post, chap. 8, No. 5.]

And Cherokee claim recognized to lands south of the big bend of Tennessee river, by 3d art. treaty of 7th Jan. 1806. (Ante, No. 9 of this chap.)

A line is fixed as the boundary of the land ceded by the Creeks, and of the land claimed by the Cherokees.

Art. 1. Whereas doubts have existed in relation to the northern boundary of that part of the Creek lands lying west of the Coosa river, and which were ceded to the United States by the treaty held at fort Jackson, on the ninth day of August, one thousand eight hundred and fourteen; and whereas by the third article of the treaty, dated the seventh of January, one thousand eight hundred and six, between the United States and the Cherokee nation, the United States have recognized a claim on the part of the Cherokee nation to the lands south of the big bend of the Tennessee river, and extending as far west as a place on the waters of Bear creek, [a branch of the Tennessee river] known by the name of the Flat Rock, or stone: it is, therefore, now declared and agreed, that a line shall be run from a point on the west bank of the Coosa river, opposite to the lower end of the ten islands in said river, and above fort Strother, directly to the Flat Rock or stone, on Bear Creek, [a branch of the Tennessee river:] which line shall be established as the boundary of the lands ceded by the Creek nation to the United States by the treaty held at fort Jackson on the ninth day of August, one thousand eight hundred and fourteen, and of the lands claimed by the Cherokee nation, lying west of the Coosa and south of the Tennessee rivers.

Free use of
roads to the
U. States

Art. 2. It is expressly agreed, on the part of the Cherokee nation, that the United States shall have the right to lay off,

open and have the free use of such road or roads, through any part of the Cherokee nation, lying north of the boundary line now established, as may be deemed necessary for the free intercourse between the states of Tennessee and Georgia, and the Mississippi territory. And the citizens of the United States shall freely navigate and use, as a highway, all the rivers and waters within the Cherokee nation. The Cherokee nation further agree, to establish and keep up, on the roads to be opened under the sanction of this article, such ferries and public houses as may be necessary for the accommodation of the citizens of the United States.

Art. 3. In order to preclude any dispute hereafter, relative to the boundary line now established, it is hereby agreed that the Cherokee nation shall appoint two commissioners to accompany the commissioners already appointed on the part of the United States, to run the boundary lines of the lands ceded by the Creek nation to the United States, while they are engaged in running that part of the boundary established by the first article of this treaty.

Art. 4. In order to avoid unnecessary expense and delay, it is further agreed, that whenever the president of the United States may deem it expedient to open a road through any part of the Cherokee nation, in pursuance of the stipulations of the second article of this convention, the principal chief of the Cherokee nation, shall appoint one commissioner to accompany the commissioners appointed by the president of the United States, to lay off and mark the road; and the said commissioner shall be paid by the United States.

Art. 5. The United States agree to indemnify the individuals of the Cherokee nation for losses sustained by them in consequence of the march of the militia and other troops in the service of the United States, through that nation; which losses have been ascertained by the agents of the United States to amount to twenty-five thousand five hundred dollars.

In testimony whereof, the said commissioner and the undersigned chiefs and head men of the Cherokee nation, have hereunto set their hands and seals. Done at the city of Washington, this twenty-second day of March, one thousand eight hundred and sixteen.

George Graham,	l. s.
Colonel John Lowry, his x mark,	l. s.
Major John Walker, his x mark,	l. s.
Major Ridge, his x mark,	l. s.
Richard Taylor,	l. s.
John Ross,	l. s.
Cheucunsene, his x mark.	l. s.

Witnesses present at signing and sealing:

Return J. Meigs,
Jacob Laub,
Gid. Davis.

Treaty with
the Chero-
kees:

No. 12. To perpetuate peace and friendship between the United States and Cherokee tribe or nation of Indians, and to remove all future causes of dis-
sension which may arise from indefinite territorial boundaries, the president
of the United States of America, by major-general Andrew Jackson, gen-
eral David Meriwether, and Jesse Franklin, esquire, commissioners plenipo-
tentiary on the one part, and the Cherokee delegates on the other, cov-
enant and agree to the following articles and conditions, which, when ap-
proved by the Cherokee nation, and constitutionally ratified by the govern-
ment of the United States, shall be binding on all parties:

Peace and
friendship es-
tablished.

Art. 1. Peace and friendship are hereby firmly established
between the United States and Cherokee nation or tribe of In-
dians.

Western
boundary of
the Cherokee
nation.

Art. 2. The Cherokee nation acknowledge the following
as their western boundary: South of the Tennessee river, com-
mencing at Camp Coffee, on the south side of the Tennessee
river, which is opposite the Chickasaw Island, running from
thence a due south course to the top of the dividing ridge be-
tween the waters of the Tennessee and Tombigbee rivers,
thence eastwardly along said ridge, leaving the head waters of
the Black Warrior to the right hand, until opposed by the west
branch of Will's creek, down the east bank of said creek to
the Coosa river, and down said river.

Cede to U. S.
lands south
and west of
said boundary,
for an annuity
of \$6,000, for
ten years, and
\$5,000 for im-
provements.

Art. 3. The Cherokee nation relinquish to the United States
all claim, and cede all title to lands laying south and west of
the line, as described in the second article; and, in considera-
tion of said relinquishment and cession, the commissioners agree
to allow the Cherokee nation an annuity of six thousand dol-
lars, to continue for ten successive years, and five thousand
dollars, to be paid in sixty days after the ratification of the trea-
ty, as a compensation for any improvements which the said na-
tion may have had on the lands surrendered.

Line to be
marked by
commissioners
who are to be
attended by
two persons of
the Cherokee
nation.

Art. 4. The two contracting parties covenant and agree,
that the line, as described in the second article, shall be ascer-
tained and marked by commissioners, to be appointed by the
president of the United States; that the marks shall be bold;
trees to be blazed on both sides of the line, and the fore
and aft trees to be marked with the letters U. S.; that the commis-
sioners shall be accompanied by two persons, to be appointed
by the Cherokee nation, and that said nation shall have due
and seasonable notice when said operation is to be commenced.

Cherokee na-
tion to meet at
Turkey Town
to ratify this
treaty; if they
do not, treaty
to be reputed
as ratified.

Art. 5. It is stipulated that the Cherokee nation will meet
general Andrew Jackson, general David Meriwether, and Jes-
se Franklin, esquire, in council, at Turkey's Town, Coosa river,
on the 28th of September, instant, there and then to express
their approbation, or not, of the articles of this treaty; and if
they do not assemble at the time and place specified, it is un-
derstood that the said commissioners may report the same as a
tacit ratification, on the part of the Cherokee nation, of this
treaty.

In testimony whereof, the said commissioners and undersigned chiefs and delegates of the Cherokee nation, have hereto set their hands and seals. Done at the Chickasaw council house, this fourteenth day of September, in the year of our Lord one thousand eight hundred and sixteen.

Andrew Jackson,
D. Meriwether,
J. Franklin,
Toochalar,
Oohulookkee,
Wososey,
Gousa,
Spring Frog,
Oowatata,
John Beuge,
John Bawldridge,
Sallocooke Fields,
George Guem,
Bark,
Campbell,
Spirit,
Young Wolf,
Oolitiskee.

Witness.

James Gadsden, *secretary to the commissioners,*
Arthur P. Hayne, *inspector general, division of the south,*
James C. Bronaugh, *hospital surgeon, United States army,*
John Gordon,
John Rhea,
Thomas Wilson, *interpreter for the Cherokees,*
A. McCoy, *do.*

Ratified at Turkey Town, by the whole Cherokee nation, in Foregoing
council assembled. In testimony whereof, the subscribing treaty ratified
commissioners of the United States, and the undersigned by the Chero-
chiefs and warriors of the Cherokee nation, have hereto set kee nation, as
their hands and seals, this fourth day of October, in the provided for in
the year of our Lord one thousand eight hundred and sixteen. the 5th article,

Andrew Jackson,
D. Meriwether,
Path Killer, his x mark,
The Glass, his x mark,
Sour Mush, his x mark,
Chulioa, his x mark,
Dick Justice, his x mark,
Richard Brown, his x mark,
Bark, his x mark,
The Boot, his x mark,
Chickasawlua, his x mark.

Witness.

James Gadsden, *secretary,*
Return J. Meigs,
Richard Taylor, *interpreter,*
A. McCoy, *interpreter.*

Treaty with the Cherokees, Cherokee Agency, 8th July, 1817.

No. 13. Articles of a treaty concluded, at the Cherokee Agency, within the Cherokee nation, between major-general Andrew Jackson, Joseph McMinn, governor of the state of Tennessee, and general David Meriwether, commissioners plenipotentiary of the United States of America, of the one part, and the chiefs, head men, and warriors, of the Cherokee nation, east of the Mississippi river, and the chiefs, head men, and warriors, of the Cherokees on the Arkansas river, and their deputies, John D. Chisholm and James Rodgers, duly authorized by the chiefs of the Cherokees on the Arkansas river, in open council, by written power of attorney, duly signed and executed, in presence of Joseph Sevier and William Ware.

Visit of a deputation of Cherokees to Washington in 1808.

Part of the Cherokees anxious to engage in agriculture and the pursuits of civilized life.

Another portion desirous of continuing the hunter life, and, with that view, to remove across the Mississippi, &c.

The United States willing to satisfy the wishes of both parties, and will exchange lands, &c.

Whereas in the autumn of the year one thousand eight hundred and eight, a deputation from the Upper and Lower Cherokee towns, duly authorized by their nation, went on to the city of Washington, the first named to declare to the president of the United States their anxious desire to engage in the pursuits of agriculture and civilized life, in the country they then occupied, and to make known to the president of the United States the impracticability of inducing the nation at large to do this, and to request the establishment of a division line between the upper and lower towns, so as to include all the waters of the Hiwassee river to the upper town, that, by thus contracting their society within narrow limits, they proposed to begin the establishment of fixed laws and a regular government: The deputies from the lower towns to make known their desire to continue the hunter life, and also the scarcity of game where they then lived, and, under those circumstances, their wish to remove across the Mississippi river, on some vacant lands of the United States. And whereas the president of the United States, after maturely considering the petitions of both parties, on the ninth day of January, A. D. one thousand eight hundred and nine, including other subjects, answered those petitions as follows: "The United States, my children, are the friends of both parties, and, as far as can be reasonably asked, they are willing to satisfy the wishes of both. Those who remain may be assured of our patronage, our aid, and good neighborhood. Those who wish to remove, are permitted to send an exploring party to reconnoitre the country on the waters of the Arkansas and White rivers, and the higher up the better, as they will be the longer unapproached by our settlements, which will begin at the mouths of those rivers. The regular districts of the government of St. Louis are already laid off to the St. Francis.

"When this party shall have found a tract of country suit-
ing the emigrants, and not claimed by other Indians, we will
arrange with them and you the exchange of that for a just por-
tion of the country they leave, and to a part of which, pro-
portioned to their numbers, they have a right. Every aid
towards their removal, and what will be necessary for them
there, will then be freely administered to them; and when es-
tablished in their new settlements, we shall still consider them

as our children, give them the benefit of exchanging their peltries for what they will want at our factories, and always hold them firmly by the hand."

And whereas the Cherokees, relying on the promises of the president of the United States, as above recited, did explore the country on the west side of the Mississippi, and made choice of the country on the Arkansas and White rivers, and settled themselves down upon the United States' lands, to which no other tribe of Indians have any just claim, and have duly notified the president of the United States thereof, and of their anxious desire for the full and complete ratification of his promise, and, to that end, as notified by the president of the United States, have sent on their agents, with full powers to execute a treaty, relinquishing to the United States all the right, title, and interest, to all lands of right to them belonging, as part of the Cherokee nation, which they have left, and which they are about to leave, proportioned to their numbers, including, with those now on the Arkansas, those who are about to remove thither, and to a portion of which they have an equal right agreeably to their numbers.

The Cherokees of the hunter life, made choice of the country on the Arkansas and White rivers.

Now, know ye, that the contracting parties, to carry into full effect the before recited promises with good faith, and to promote a continuation of friendship with their brothers on the Arkansas river, and for that purpose to make an equal distribution of the annuities secured to be paid by the United States to the whole Cherokee nation, have agreed and concluded on the following articles, viz:

Art. 1. The chiefs, head men, and warriors, of the whole Cherokee nation, cede to the United States all the lands lying north and east of the following boundaries, viz: beginning at the high shoals of the Appalachy river, and running thence, along the boundary line between the Creek and Cherokee nations, westwardly to the Chatahouchy river; thence, up the Chatahouchy river, to the mouth of Souque creek; thence, continuing with the general course of the river until it reaches the Indian boundary line, and, should it strike the Tarrurar river, thence, with its meanders, down said river to its mouth, in part of the proportion of land in the Cherokee nation east of the Mississippi, to which those now on the Arkansas and those about to remove there are justly entitled.

Cession of land to the United States east of the Mississippi, in exchange of lands occupied by the Cherokees who have removed west of that river.

Art. 2. The chiefs, head men, and warriors, of the whole Cherokee nation, do also cede to the United States all the lands lying north and west of the following boundary lines, viz: Beginning at the Indian boundary line that runs from the north bank of the Tennessee river, opposite to the mouth of Hy-wassee river, at a point on the top of Walden's ridge, where it divides the waters of the Tennessee river from those of the Sequatchie river; thence, along the said ridge, southwardly,

Further cession of lands.

to the bank of the Tennessee river, at a point near to a place called the Negro Sugar Camp, opposite to the upper end of the first island above Running Water Town ; thence, westwardly, a straight line to the mouth of Little Sequatchie river ; thence, up said river, to its main fork ; thence, up its northernmost fork, to its source ; and thence, due west, to the Indian boundary line.

A census to be taken, in June, 1818, of the Cherokee nation, by commissioners, to be appointed by each party.

Art. 3. It is also stipulated by the contracting parties, that a census shall be taken of the whole Cherokee nation, during the month of June, in the year of our Lord one thousand eight hundred and eighteen, in the following manner, viz : That the census of those on the east side of the Mississippi river, who declare their intention of removing, shall be taken by a commissioner appointed by the president of the United States, and a commissioner appointed by the Cherokees on the Arkansas river ; and the census of the Cherokees on the Arkansas river, and those removing there, and who, at that time, declare their intention of removing there, shall be taken by a commissioner appointed by the president of the United States, and one appointed by the Cherokees east of the Mississippi river.

Annuity from the United States to be divided between the two portions of the Cherokees according to numbers, &c.

Art. 4. The contracting parties do also stipulate that the annuity due from the United States to the whole Cherokee nation for the year one thousand eight hundred and eighteen, is to be divided between the two parts of the nation in proportion to their numbers, agreeably to the stipulations contained in the third article of this treaty ; and to be continued to be divided thereafter in proportion to their numbers ; and the lands to be apportioned and surrendered to the United States agreeably to the aforesaid enumeration, as the proportionate part, agreeably to their numbers, to which those who have removed, and who declare their intention to remove, have a just right, including these with the lands ceded in the first and second articles of this treaty.

The United States to give as much land on the Arkansas and White rivers as they receive from the Cherokees east of the Mississippi.

Art. 5. The United States bind themselves, in exchange for the lands ceded in the first and second articles hereof, to give to that part of the Cherokee nation on the Arkansas as much land on said river and White river as they have or may hereafter receive from the Cherokee nation east of the Mississippi, acre for acre, as the just proportion due that part of the nation on the Arkansas agreeably to their numbers ; which is to commence on the north side of the Arkansas river, at the mouth of Point Remove or Budwell's Old Place ; thence, by a straight line, northwardly, to strike Chataunga mountain, or the hill first above Shield's Ferry on White river, running up and between said rivers for complement, the banks of which rivers to be the lines ; and to have the above line, from the point of beginning to the point on White river, run and marked, which shall be done soon after the ratification of this treaty ;

Line to be run and marked, and citizens to be removed, except Mrs. Lovely.

and all citizens of the United States, except Mrs. P. Lovely, who is to remain where she lives during life, removed from within the bounds as above named. And it is further stipulated, that the treaties heretofore between the Cherokee nation and the United States are to continue in full force with both parts of the nation, and both parts thereof entitled to all the immunities and privileges which the old nation enjoyed under the aforesaid treaties; the United States reserving the right of establishing factories, a military post, and roads, within the boundaries above defined.

Former treaties in force with both parts of the Cherokees.
(Preceding numbers of this chapter.)
Right of establishing factories.

Art. 6. The United States do also bind themselves to give to all the poor warriors who may remove to the western side of the Mississippi river, one rifle gun and ammunition, one blanket, and one brass kettle, or, in lieu of the brass kettle, a beaver trap, which is to be considered as a full compensation for the improvements which they may leave; which articles are to be delivered at such point as the president of the United States may direct: and to aid in the removal of the emigrants, they further agree to furnish flat bottomed boats and provisions sufficient for that purpose: and to those emigrants whose improvements add real value to their lands, the United States agree to pay a full valuation for the same, which is to be ascertained by a commissioner appointed by the president of the United States for that purpose, and paid for as soon after the ratification of this treaty as practicable. The boats and provisions promised to the emigrants are to be furnished by the agent on the Tennessee river, at such time and place as the emigrants may notify him of; and it shall be his duty to furnish the same.

Rifle guns, ammunition, blankets, &c. as compensation for Cherokee improvements.

Boats and provisions.

Full compensation for improvements of real value.

Art. 7. And for all improvements which add real value to the lands lying within the boundaries ceded to the United States, by the first and second articles of this treaty, the United States do agree to pay for at the time, and to be valued in the same manner, as stipulated in the sixth article of this treaty; or in lieu thereof, to give in exchange improvements of equal value which the emigrants may leave, and for which they are to receive pay. And it is farther stipulated, that all these improvements, left by the emigrants within the bounds of the Cherokee nation east of the Mississippi river, which add real value to the lands, and for which the United States shall give a consideration, and not so exchanged, shall be rented to the Indians by the agent, year after year, for the benefit of the poor and decrepit of that part of the nation east of the Mississippi river, until surrendered by the nation, or to the nation. And it is further agreed, that the said Cherokee nation shall not be called upon for any part of the consideration paid for said improvements at any future period.

Stipulations concerning payment for improvements which add real value to ceded lands.

Art. 8. And to each and every head of any Indian family residing on the east side of the Mississippi river, on the lands

Heads of Indian families

residing east of that are now, or may hereafter be, surrendered to the United States, who may wish to become citizens of the United States, the Mississippi, desirous of becoming citizens, to enjoy a reservation of 640 acres of land, &c.

the United States do agree to give a reservation of six hundred and forty acres of land, in a square, to include their improvements, which are to be as near the centre thereof as practicable, in which they will have a life estate, with a reversion in fee simple to their children, reserving to the widow her dower, the register of whose names is to be filed in the office of the Cherokee agent, which shall be kept open until the census is taken as stipulated in the third article of this treaty. Provided, That if any of the heads of families, for whom reservations may be made, should remove therefrom, then, in that case, the right to revert to the United States. And provided further, That the land which may be reserved under this article, be deducted from the amount which has been ceded under the first and second articles of this treaty.

Free navigation of all the waters.

Art. 9. It is also provided by the contracting parties, that nothing in the foregoing articles shall be construed so as to prevent any of the parties so contracting from the free navigation of all the waters mentioned therein.

Cession of the reservations of Doublehead and others, to the U. States.

Art. 10. The whole of the Cherokee nation do hereby cede to the United States all right, title, and claim, to all reservations made to Doublehead and others, which were reserved to them by a treaty made and entered into at the city of Washington, bearing date the seventh of January, one thousand eight hundred and six.*

(* Ante, No. 3, of this chapter.)

Boundary lines, under the 1st, 2d, and 3d articles, to be run by commissioners.

Art. 11. It is further agreed that the boundary lines of the lands ceded to the United States by the first and second articles of this treaty, and the boundary line of the lands ceded by the United States in the fifth article of this treaty, is to be run and marked by a commissioner or commissioners appointed by the president of the United States, who shall be accompanied by such commissioners as the Cherokees may appoint; due notice thereof to be given to the nation.

The United States to prevent intruders until the treaty is ratified, &c.

Art. 12. The United States do also bind themselves to prevent the intrusion of any of its citizens within the lands ceded by the first and second articles of this treaty, until the same shall be ratified by the president and senate of the United States, and duly promulgated.

This treaty to take effect as soon as ratified,

Art. 13. The contracting parties do also stipulate that this treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate of the United States.

In witness of all and every thing herein determined, by and between the before recited contracting parties, we have, in full and open council, at the Cherokee Agency, this eighth day of July, A. D. one thousand eight hundred and seven-
teen, set our hands and seals.

Andrew Jackson, } *United States' Commissioners.*
 Joseph M'Minn, }
 D. Meriwether, }
 Richard Brown, his x mark,
 Cabbin Smith, his x mark,
 Sleeping Rabbit, his x mark,
 George Saunders, his x mark,
 Roman Nose, his x mark,
 Currohe Dick, his x mark,
 John Walker, his x mark,
 George Lowry,
 Richard Taylor,
 Walter Adair,
 James Brown,
 Kelachule, his x mark,
 Sour Mush, his x mark,
 Chulioa, his x mark,
 Chickasautchee, his x mark,
 The Bark of Chota, his x mark,
 The Bark of Hightower, his x mark,
 Big Half Breed, his x mark,
 Going Snake, his x mark,
 Leyestisky, his x mark,
 Ch. Hicks,
 Young Davis, his x mark,
 Souanooka, his x mark,
 The Locust, his x mark,
 Beaver Carrier, his x mark,
 Dreadful Water, his x mark,
 Chyula, his x mark,
 Ja. Martin,
 John M'Intosh, his x mark,
 Katchee of Cowee, his x mark,
 White man killer, his x mark.

ARKANSAS CHIEFS.

Toochalar, his x mark,
 The Glass, his x mark,
 Wassosce, his x mark,
 John Jolly, his x mark,
 The Gourd, his x mark,
 Spring Frog, his x mark,
 John D. Chisholm,
 James Rogers,
 Wawhatchy, his x mark,
 Attalona, his x mark,
 Kulsuttchee, his x mark,
 Tuskekeetchee, his x mark,
 Chillawgatchee, his x mark,
 John Smith, his x mark,
 Toosawallata, his x mark.

In presence of

J. M. Glasel, *secretary to the commission,*
 Thomas Wilson, *clerk to the commissioners,*
 Walter Adair,
 John Speirs, *interpreter, his x mark,*
 A. M'Coy, *interpreter,*
 James C. Bronaugh, *hospital surgeon U. S. army,*
 Isham Randolph, *captain 1st redoubtables,*
 Wm. Meriwether,
 Return J. Meigs, *agent Cherokee nation.*

Convention with the Cherokees, Washington, 27th Feb. 1819.

No. 14. Articles of a convention made between John C. Calhoun, Secretary of War, being specially authorized therefor by the president of the United States, and the undersigned chiefs and head men of the Cherokee nation of Indians, duly authorized and empowered by said nation, at the city of Washington, on the twenty-seventh day of February, in the year of our Lord one thousand eight hundred and nineteen.

The greater part of the Cherokees desire to remain on this side the Mississippi.

(*Ante, No. 13 of this chap.)

Census to be dispensed with.

Cession of lands by the Cherokees.

Islands, &c. except Jolly's, belong to the Cherokees.

Reservations, &c. ceded to the U. S. as a school fund.

(*Ante, No. 6 of this chap.)

Whereas a greater part of the Cherokee nation have expressed an earnest desire to remain on this side of the Mississippi, and being desirous, in order to commence those measures which they deem necessary to the civilization and preservation of their nation, that the treaty between the United States and them, signed the eighth of July, eighteen hundred and seventeen,* might, without further delay, or the trouble or expense of taking the census, as stipulated in the said treaty, be finally adjusted, have offered to cede to the United States a tract of country at least as extensive as that which they probably are entitled to under its provisions, the contracting parties have agreed to and concluded the following articles:

Art. 1. The Cherokee nation cedes to the United States all of their lands lying north and east of the following line, viz: Beginning on the Tennessee river, at the point where the Cherokee boundary with Madison county, in the Alabama territory, joins the same; thence, along the main channel of said river, to the mouth of the Highwassee; thence, along its main channel, to the first hill which closes in on said river, about two miles above Highwassee Old Town; thence, along the ridge which divides the waters of the Highwassee and Little Tellico, to the Tennessee river, at Tallasee; thence, along the main channel, to the junction of the Cowee and Nanteyalee; thence, along the ridge in the fork of said river, to the top of the Blue Ridge; thence, along the Blue Ridge, to the Unicoy Turnpike Road; thence, by a straight line, to the nearest main source of the Chestatee; thence, along its main channel, to the Chatahouchee; and thence to the Creek boundary; it being understood that all the islands in the Chestatee, and the parts of the Tennessee and Highwassee, (with the exception of Jolly's Island in the Tennessee, near the mouth of the Highwassee,) which constitute a portion of the present boundary, belong to the Cherokee nation; and it is also understood, that the reservations contained in the second article of the treaty of Tellico, signed the 25th October, eighteen hundred and five,* and a tract equal to twelve miles square, to be located by commencing at the point formed by the intersection of the boundary line of Madison county, already mentioned, and the north bank of the Tennessee river; thence, along the said line, and up the said river twelve miles, are ceded to the United States, in trust for the Cherokee nation as a school fund; to be sold by the United States, and the proceeds vested as is hereafter provided in the fourth article of this treaty; and also, that the

rights vested in the Unicoy Turnpike Company, by the Cherokee nation, according to certified copies of the instruments securing the rights, and herewith annexed, are not to be affected by this treaty; and it is further understood and agreed by the said parties, that the lands hereby ceded by the Cherokee nation, are in full satisfaction of all claims which the United States have on them, on account of the cession to a part of their nation who have or may hereafter emigrate to the Arkansaw; and this treaty is a final adjustment of that of the eighth of July, eighteen hundred and seventeen.

Rights vested in the Unicoy Turnpike company not to be affected. The lands hereby ceded are in full satisfaction.

Art. 2. The United States agree to pay, according to the stipulations contained in the treaty of the eighth of July, eighteen hundred and seventeen, for all improvements on land lying within the country ceded by the Cherokees, which add real value to the land, and do agree to allow a reservation of six hundred and forty acres to each head of any Indian family residing within the ceded territory, those enrolled for the Arkansaw excepted, who choose to become citizens of the United States, in the manner stipulated in said treaty.

The U. S. to pay for improvements on ceded lands.

640 acres to each head of a family, choosing to become citizens.

Art. 3. It is also understood and agreed by the contracting parties, that a reservation, in fee simple, of six hundred and forty acres square, with the exception of Major Walker's, which is to be located as is hereafter provided, to include their improvements, and which are to be as near the centre thereof as possible, shall be made to each of the persons whose names are inscribed on the certified list annexed to this treaty, all of whom are believed to be persons of industry, and capable of managing their property with discretion, and have, with few exceptions, made considerable improvements on the tracts reserved. The reservations are made on the condition, that those for whom they are intended shall notify, in writing, to the agent for the Cherokee nation, within six months after the ratification of this treaty, that it is their intention to continue to reside permanently on the land reserved.

640 acres, in fee simple, to each person on the list annexed to this treaty, except Maj. Walker.

Notification, within six months, to the agent for the Cherokees, of the intention to continue to reside.

The reservation for Lewis Ross, so to be laid off as to include his house, and out buildings, and ferry adjoining the Cherokee agency, reserving to the United States all the public property there, and the continuance of the said agency where it now is, during the pleasure of the government; and Major Walker's, so as to include his dwelling house and ferry: for Major Walker an additional reservation is made of six hundred and forty acres square, to include his grist and saw mill; the land is poor, and principally valuable for its timber. In addition to the above reservations, the following are made, in fee simple; the persons for whom they are intended not residing on the same: To Cabbin Smith, six hundred and forty acres, to be laid off in equal parts, on both sides of his ferry on Tellico, commonly called Blair's ferry; to John Ross, six hundred and forty acres, to be laid off so as to include the Big Island in Ten-

Reservations for Lewis Ross.

Maj. Walker's reservations.

Additional reservations.

To Cabbin Smith.
To John Ross.

nessee river, being the first below Tellico—which tracts of land were given many years since, by the Cherokee nation, to them; to Mrs. Eliza Ross, step daughter of Major Walker, six hundred and forty acres square, to be located on the river below and adjoining Major Walker's; to Margaret Morgan, six hundred and forty acres square, to be located on the west of, and adjoining, James Riley's reservation; to George Harlin, six hundred and forty acres square, to be located west of, and adjoining the reservation of Margaret Morgan; to James Lowry, six hundred and forty acres square, to be located at Crow Mocker's old place, at the foot of Cumberland mountain; to Susannah Lowry, six hundred and forty acres, to be located at the Toll Bridge on Battle Creek; to Nicholas Byers, six hundred and forty acres, including the Toqua Island, to be located on the north bank of the Tennessee, opposite to said Island.

The reservations, to be sold, and the proceeds vested in stock.

Interest on the stock to be applied to the purposes of education, &c.

Boundary lines to be run by commissioners.

Leases under treaty of 8th July, 1817, void. (Ante, No. 13 of this chap.) White intruders to be removed.

Division of annuity to the Cherokee nation.

If the Cherokees west of

Art. 4. The United States stipulate that the reservations, and the tract reserved for a school fund, in the first article of this treaty, shall be surveyed and sold in the same manner, and on the same terms, with the public lands of the United States, and the proceeds vested, under the direction of the president of the United States, in the stock of the United States, or such other stock as he may deem most advantageous to the Cherokee nation. The interest or dividend on said stock, shall be applied, under his direction, in the manner which he shall judge best calculated to diffuse the benefits of education among the Cherokee nation on this side of the Mississippi.

Art. 5. It is agreed that such boundary lines as may be necessary to designate the lands ceded by the first article of this treaty, may be run by a commissioner or commissioners, to be appointed by the president of the United States, who shall be accompanied by such commissioners as the Cherokees may appoint, due notice thereof to be given to the nation; and that the leases which have been made under the treaty of the eighth of July, eighteen hundred and seventeen, of land lying within the portion of country reserved to the Cherokees, to be void; and that all white people who have intruded, or may hereafter intrude, on the lands reserved for the Cherokees, shall be removed by the United States, and proceeded against according to the provisions of the act passed thirtieth March, eighteen hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

Art. 6. The contracting parties agree that the annuity to the Cherokee nation shall be paid, two-thirds to the Cherokees east of the Mississippi, and one-third to the Cherokees west of that river, as it is estimated that those who have emigrated, and who have enrolled for emigration, constitute one-third of the whole nation; but, if the Cherokees west of the Mississippi

* See this act among the laws following the treaties in this volume.

object to this distribution, of which due notice shall be given the Mississippi object, then the census to be taken.
 them, before the expiration of one year after the ratification of this treaty, then the census, solely for distributing the annuity, shall be taken at such times, and in such manner, as the president of the United States may designate.

Art. 7. The United States, in order to afford the Cherokees Intrusion of citizens before 1st Jan. 1890, to be prevented.
 who reside on the lands ceded by this treaty, time to cultivate their crop next summer, and for those who do not choose to take reservations, to remove, bind themselves to prevent the intrusion of their citizens on the ceded land before the first of January next.

Art. 8. This treaty to be binding on the contracting parties This treaty binding when ratified.
 so soon as it is ratified by the president of the United States, by and with the advice and consent of the senate.

Done at the place, and on the day and year, above written.

J. C. CALHOUN.

Ch. Hicks,
 Jno. Ross,
 Lewis Ross,
 John Martin,
 James Brown,
 Geo. Lowry,
 Gideon Morgan, jr.
 Cabbin Smith, his x mark,
 Sleeping Rabbit, his x mark,
 Small Wood, his x mark,
 John Walker, his x mark,
 Currohee Dick, his x mark.

Witnesses:

Return J. Meigs,
 C. Vandeventer,
 Elias Earle,
 John Lowry.

List of persons referred to in the 3d article of the annexed treaty.

Richard Walker, within the chartered limits of North Carolina.	do.	John Brown, Tennessee,	
Yonah, alias Big Bear,	do.	Elizabeth Lowry, do.	do.
John Martin, do. Georgia,		George Lowry, within the chartered limits of Tennessee.	
Peter Linch, do. do.		John Benge, do. do.	
Daniel Davis, do. do.		Mrs. Eliz. Peck, do. do.	
George Farris, do. do.		John Walker, Sr. do. do.	
Walter S. Adair, do. do.		John Walker, Jr. (unmarried,) do.	
Thomas Wilson, Alab. Terr.		Richard Taylor, do. do.	
Richard Riley, do. do.		John McIntosh, do. do.	
James Riley, do. do.		James Starr, do. do.	
Edward Gunter, do. do.		Samuel Parks, do. do.	
Robert McLemore, Tenn.		The Old Bark, (of Chota) do.	
John Baldrige, do. do.		No. of reserves within the limits of	
Lewis Ross, do. do.		North Carolina,	2
Fox Taylor, do. do.		Georgia,	5
Rd. Timberlake, do. do.		Alabama Terr.	4
David Fields, (to include his mill,) do.		Tennessee,	20
James Brown, (to include his field by the long pond,) do. do.		Total No. of reserves,	31
William Brown, do. do.			—

I hereby certify, that I am, either personally, or by information on which I can rely, acquainted with the persons before named, all of whom I believe to be persons of industry, and capable of managing their property with discretion; and who have, with few exceptions, long resided on the tracts reserved, and made considerable improvements thereon.

RETURN J. MEIGS,
Agent in the Cherokee nation.

(COPY.) *Cherokee Agency, Highwassee Garrison.*

We, the undersigned chiefs and counsellors of the Cherokees, in full council assembled, do hereby give, grant, and make over, unto Nicholas Byers and David Russell, who are agents in behalf of the states of Tennessee and Georgia, full power and authority to establish a Turnpike Company, to be composed of them, the said Nicholas and David, Arthur Henly, John Lowry, Atto. and one other person, by them to be hereafter named, in behalf of the state of Georgia; and the above named persons are authorized to nominate five proper and fit persons, natives of the Cherokees, who, together with the white men aforesaid, are to constitute the company; which said company, when thus established, are hereby fully authorized by us, to lay out and open a road from the most suitable point on the Tennessee river, to be directed the nearest and best way to the highest point of navigation on the Tugolo river; which said road, when opened and established, shall continue and remain a free and public highway, unmolested by us, to the interest and benefit of the said company, and their successors, for the full term of twenty years, yet to come, after the same may be open and complete; after which time, said road, with all its advantages, shall be surrendered up, and reverted in, the said Cherokee nation. And the said company shall have leave, and are hereby authorized, to erect their public stands, or houses of entertainment on said road, that is to say: one at each end, and one in the middle, or as nearly so as a good situation will permit; with leave also to cultivate one hundred acres of land at each end of the road, and fifty acres at the middle stand, with a privilege of a sufficiency of timber for the use and consumption of said stands. And the said Turnpike Company do hereby agree to pay the sum of one hundred and sixty dollars yearly to the Cherokee nation, for the aforesaid privilege, to commence after said road is opened and in complete operation. The said company are to have the benefit of one ferry on Tennessee river, and such other ferry or ferries as are necessary on said road; and, likewise, said company shall have the exclusive privilege of trading on said road during the aforesaid term of time.

In testimony of our full consent to all and singular the above named privileges and advantages, we have hereunto set

our hands and affixed our seals, this eighth day of March, eighteen hundred and thirteen.

Outahelce, his x mark,
 Naire, above, his x mark,
 Theelagathahee, his x mark,
 The Raven, his x mark,
 Two Killers, his x mark,
 Teeetiskee, his x mark,
 John Boggs, his—mark,
 Quotiquaskee, his—mark,
 Curihee, Dick, his—mark,
 Oosekee, his—mark,
 Tooohalee,
 Chulio,
 Dick Justice,
 Wausaway,
 Big Cabbin,
 The Bark,
 Nettle Carrier,
 Seekeekee,
 John Walker,
 Dick Brown,
 Charles Hick

Witnesses present:

Wm. L. Lovely, *assistant agent*,
 William Smith,
 George Colville,
 James Carey, } *interpreters.*
 Richard Taylor, }

The foregoing agreement and grant was amicably negotiated and concluded in my presence.

(Signed)

RETURN J. MEIGS.

I certify I believe the within to be a correct copy of the original.

CHARLES HICKS.

Washington City, March 1, 1819.

Cherokee Agency, Jan. 6, 1817.

We, the undersigned chiefs of the Cherokee nation, do hereby grant unto Nicholas Byers, Arthur H. Henly, and David Russell, proprietors of the Unicoy road to Georgia, the liberty of cultivating all the ground contained in the bend on the north side of Tennessee river, opposite and below Chota Old Town, together with the liberty to erect a grist mill on Four Mile creek, for the use and benefit of said road, and the Cherokees in the neighborhood thereof; for them, the said Byers, Henly, and Russell, to have and to hold the above privileges during the term of lease of the Unicoy road, also obtained from the Cherokees, and sanctioned by the president of the United States.

In witness whereof, we hereunto affix our hands and seals in presence of

John McIntosh,
 Charles Hicks

Path Killer,
Tuchalar,
The Gloss,
John Walker,
Path Killer, jr.
Going Snake.

Witness :

Return J. Meigs, *U. S. agent.*

The above instrument was executed in open Cherokee council, in my office, in January, 1817.

(Signed)

RETURN J. MEIGS.

Cherokee Agency, 8th July, 1817.

The use of the Unicoy road, so called, was for twenty years.

(Signed)

RETURN J. MEIGS.

I certify I believe the within to be a correct copy of the original.

CH. HICKS.

Washington City, March 1, 1819.

[*Note.* The Cherokees west of the Mississippi assented to the division of the annuities, to which the Cherokee nation is entitled under the several treaties of this chapter, made by the 6th article of the last preceding treaty, and the annuities are accordingly paid annually to the two parts of the nation, in the proportion specified in said 6th article.]

CHAPTER V.

Treaties with the Choctaws.

Treaty with the Choctaws. No. 1. Articles of a treaty concluded at Hopewell, on the Keowee, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickens, and Joseph Martin, commissioners plenipotentiary of the United States of America, of the one part; and Yockonahoma, great medal chief of Soonacoba; Yockahoopoe, leading chief of Bugtoogoloo; Mingohoopoe, leading chief of Hashooqua; Tobocoh, great medal chief of Congetoo; Pooshernastubie, gorget captain of Senayazo; and thirteen small medal chiefs of the first class, twelve medal and gorget captains, commissioners plenipotentiary of all the Choctaw nation, of the other part.

The United States give peace.

The commissioners plenipotentiary of the United States of America give peace to all the Choctaw nation, and receive them into the favor and protection of the United States of America, on the following conditions:

The Choctaws to restore prisoners, negroes, and all other property.

Art. 1. The commissioners plenipotentiary of all the Choctaw nation, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty, if any there be in the Choctaw nation. They shall also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place, as the commissioners of the United States of America shall appoint, if any there be in the Choctaw nation.

Art. 2. The commissioners plenipotentiary of all the Choctaw nation, do hereby acknowledge the tribes and towns of the said nation, and the lands with the boundary allotted to the said Indians to live and hunt on, as mentioned in the third article, to be under the protection of the United States of America, and of no other sovereign whosoever.

The tribes and towns of the Choctaws, under the protection of the United States.

Art. 3. The boundary of the lands hereby allotted to the Choctaw nation to live and hunt on, within the limits of the United States of America, is and shall be the following, viz: beginning at a point on the thirty-first degree of north latitude, where the eastern boundary of the Natchez district shall touch the same; thence east along the said thirty-first degree of north latitude, being the southern boundary of the United States of America, until it shall strike the eastern boundary of the lands on which the Indians of the said nation did live and hunt on the twenty-ninth of November, one thousand seven hundred and eighty-two, while they were under the protection of the king of Great-Britain; thence northerly along the said eastern boundary, until it shall meet the northern boundary of the said lands; thence westerly along the said northern boundary, until it shall meet the western boundary thereof; thence southerly along the same, to the beginning: saving and reserving for the establishment of trading posts, three tracts or parcels of land, of six miles square each, at such places as the United States, in congress assembled, shall think proper; which posts, and the lands annexed to them, shall be to the use and under the government of the United States of America.

Boundary of lands for the Choctaws to live and hunt on.

Reservation for trading posts.

Art. 4. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Indians to live and hunt on, such person shall forfeit the protection of the United States of America, and the Indians may punish him or not, as they please.

Citizens of the United States, settling on Choctaw lands, outlawed.

Art. 5. If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States of America, or person under their protection, the tribe to which such offender may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in congress assembled: provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

The Choctaws to deliver up robbers, murderers, &c. for punishment.

Punishment not to exceed that of a citizen.

Art. 6. If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the robbery or murder, or other capital crime, had been committed on a citizen of the United States of America; and the punishment

The punishment for robbing or murdering a Choctaw, the same as if the crime had been committed on a citizen.

Choctaws may be present at the punishment.

shall be in presence of some of the Choctaws, if any will attend at the time and place ; and that they may have an opportunity so to do, due notice, if practicable, of the time of such intended punishment, shall be sent to some one of the tribes.

Retaliation for private injuries, prohibited.

Art. 7. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty ; and then it shall be preceded, first by a demand of justice ; and if refused, then by a declaration of hostilities.

Congress to have the sole right of regulating trade with the Choctaws.

Art. 8. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Temporary free trade to the Choctaw towns.

Art. 9. Until the pleasure of congress be known, respecting the eighth article, all traders, citizens of the United States of America, shall have liberty to go to any of the tribes or towns of the Choctaws, to trade with them, and they shall be protected in their persons and property, and kindly treated.

The Choctaws to give notice of designs against the United States.

Art. 10. The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whosoever, against the peace, trade, or interest, of the United States of America.

The hatchet forever buried, and peace universal.

Art. 11. The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said states on the one part, and all the Choctaw nation on the other part, shall be universal ; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

In witness of all and every thing herein determined, between the United States of America and all the Choctaws, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this third day of January, in the year of our Lord one thousand seven hundred and eighty-six.

Benjamin Hawkins,	l. s.
Andrew Pickens,	l. s.
Jos. Martin,	l. s.
Yockenahoma, his x mark,	l. s.
Yockehoopoie, his x mark,	l. s.
Mingohoopoie, his x mark,	l. s.
Tobocoh, his x mark,	l. s.
Pooshemastuby, his x mark,	l. s.
Pooshahooma, his x mark,	l. s.
Tusconoochoopoc, his x mark,	l. s.

Shinshemastuby, his x mark,	l. a.
Yoopahooma, his x mark,	l. a.
Stoonokochoopoie, his x mark,	l. a.
Tehakuhbay, his x mark,	l. a.
Pooshemastuby, his x mark,	l. a.
Tushkahoomoih, his x mark,	l. a.
Tushkahoomock, his x mark,	l. a.
Yoostenochhs, his x mark,	l. a.
Tootehooma, his x mark,	l. a.
Toobenohoomoch, his x mark,	l. a.
Cshecoopohoomoch, his x mark,	l. a.
Stonakoochoopoie, his x mark,	l. a.
Tushkobeegohta, his x mark,	l. a.
Teshuhenochloch, his x mark,	l. a.
Pooshonaktla, his x mark,	l. a.
Okanconnooba, his x mark,	l. a.
Autoonachuba, his x mark,	l. a.
Pangehooloch, his x mark,	l. a.
Steabee, his x mark,	l. a.
Tenetehenna, his x mark,	l. a.
Tushkementahock, his x mark,	l. a.
Tushtallay, his x mark,	l. a.
Cahnaangchabba, his x mark,	l. a.
Cunnopoie, his x mark,	l. a.

Witness.

Wm. Blount,
John Woods,
Saml. Taylor,
Robert Anderson,
Benj. Lawrence,
John Pitchlynn, } *interpreters.*
James Cole,

No. 2. A treaty of friendship, limits, and accommodation, between the United States of America and the Choctaw nation of Indians. *Treaty with the Choctaws*

Thomas Jefferson, president of the United States of America, by James Wilkinson, of the state of Maryland, brigadier general in the army of the United States, Benjamin Hawkins, of North-Carolina, and Andrew Pickens, of South-Carolina, commissioners plenipotentiary of the United States, on the one part, and the Mingos, principal men and warriors of the Choctaw nation, representing the said nation in council assembled, on the other part, have entered into the following articles and conditions, viz.

Art. 1. Whereas the United States in congress assembled, did, by their commissioners plenipotentiary, Benjamin Hawkins, Andrew Pickens, and Joseph Martin, at a treaty held with the chiefs and head men of the Choctaw nation at Hopewell, on the Keowee, the third day of January, in the year of our Lord one thousand seven hundred and eighty-six, give peace to the said nation, and receive it into the favor and protection of the United States of America; it is agreed by the parties to these presents respectively, that the Choctaw nation, or such *Reference to the treaty of Hopewell. See ante, No. 1, of this chap. The Choctaws to continue un-*

der the protection of the United States.

part of it as may reside within the limits of the United States, shall be and continue under the care and protection of the said states ; and that the mutual confidence and friendship which are hereby acknowledged to subsist between the contracting parties, shall be maintained and perpetuated.

The Choctaws consent to the opening of a wagon way, &c.

Direction of the way.

A highway forever.

Choctaws to assist in laying out the way.

Art. 2. The Mingos, principal men, and warriors, of the Choctaw nation of Indians, do hereby give their free consent, that a convenient and durable wagon way may be explored, marked, opened, and made, under the orders and instructions of the president of the United States, through their lands ; to commence at the northern extremity of the settlements of the Mississippi territory, and to be extended from thence, by such route as may be selected and surveyed under the authority of the president of the United States, until it shall strike the lands claimed by the Chickasaw nation ; and the same shall be and continue for ever, a highway for the citizens of the United States and the Choctaws ; and the said Choctaws shall nominate two discreet men from their nation, who may be employed as assistants, guides, or pilots, during the time of laying out and opening the said highway, or so long as may be deemed expedient, under the direction of the officer charged with this duty, who shall receive a reasonable compensation for their services.

The old British line of demarcation, to be the boundary line between the Choctaws and the Mississippi territory.

Relinquishment of land on the Mississippi river, to the U. States.

Persons settled beyond the Choctaw line, to be removed.

The execution of the 3d article discretionary with the

Art. 3. The two contracting parties covenant and agree, that the old line of demarcation heretofore established by and between the officers of his Britannic majesty and the Choctaw nation, which runs in a parallel direction with the Mississippi river, and eastward thereof, shall be retraced and plainly marked, in such way and manner as the president may direct, in the presence of two persons to be appointed by the said nation ; and that the said line shall be the boundary between the settlements of the Mississippi territory and the Choctaw nation. And the said nation does, by these presents, relinquish to the United States and quit claim forever, all their right, title, and pretension, to the land lying between the said line and the Mississippi river, bounded south by the thirty-first degree of north latitude, and north by the Yazoo river, where the said line shall strike the same ; and on the part of the commissioners it is agreed, that all persons who may be settled beyond this line shall be removed within it, on the side towards the Mississippi, together with their slaves, household furniture, tools, materials, and stock, and that the cabins or houses erected by such persons shall be demolished.

Art. 4. The president of the United States may, at his discretion, proceed to execute the second article* of this treaty : and the third article† shall be carried into effect as soon as may

* Relative to a wagon way.

† Concerning the Mississippi and Choctaw boundary line.

be convenient to the government of the United States, and without unnecessary delay on the one part or the other, of which the president shall be the judge; the Choctaws to be seasonably advised, by order of the president of the United States, of the time when, and the place where, the re-survey and re-marking of the old line referred to in the preceding article will be commenced.

Art. 5. The commissioners of the United States, for and in consideration of the foregoing concessions on the part of the Choctaw nation, and in full satisfaction for the same, do give and deliver to the Mingos, chiefs, and warriors, of the said nation, at the signing of these presents, the value of two thousand dollars in goods and merchandise, net cost of Philadelphia, the receipt whereof is hereby acknowledged, and they further engage to give three sets of blacksmith's tools to the said nation.

president: the
3d to be car-
ried into effect
as soon as con-
venient.

The United
States deliver
to the Choctaw
goods to the
amount of
\$2,000.

Three sets of
blacksmith's
tools.

Art. 6. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall be ratified by the president of the United States of America, by and with the advice and consent of the senate thereof.

This treaty to
take effect as
soon as ratified.

In testimony whereof, the commissioners plenipotentiary of the United States, and the Mingos, principal men, and warriors, of the Choctaw nation, have hereto subscribed their names and affixed their seals, at fort Adams, on the Mississippi, this seventeenth day of December, in the year of our Lord one thousand eight hundred and one, and of the independence of the United States the twenty-sixth.

James Wilkinson,	l. s.
Benjamin Hawkins,	l. s.
Andrew Pickens,	l. s.
Tuskona Hopoia, his x mark,	l. s.
Toota Homo, his x mark,	l. s.
Mingo Hom Massatubby, his x mark,	l. s.
Oak Shumme, his x mark,	l. s.
Mingo Poncecos, his x mark,	l. s.
Buckshun Nubby, his x mark,	l. s.
Shappa Homo, his x mark,	l. s.
Hiupa Homo, his x mark,	l. s.
Illatalla Homo, his x mark,	l. s.
Hoche Homo, his x mark,	l. s.
Tuspene Chaabe, his x mark,	l. s.
Muclusha Hopoia, his x mark,	l. s.
Capputanne Thlucco, his x mark,	l. s.
Robert McClure, his x mark,	l. s.
Poosha Homo, his x mark,	l. s.
Baka Lubbe, his x mark,	l. s.

Witnesses present:

Alexander Macomb, jun. *secretary to the commission,*
John McKee, *deputy superintendent, and agent to the Choctaws,*
Henry Gaither, *lieutenant colonel commandant,*
John H. Brull, *major second regiment infantry,*
Bw. Shaumburgh, *captain second regiment infantry,*

Frans. Jones, *assistant quarter master general*,
 Benjamin Wilkinson, *lieutenant and paymaster third United States' regiment*,
 J. B. Walback, *aid de camp to the commanding general*,
 J. Wilson, *lieutenant third regiment infantry*,
 Samuel Jeton, *lieutenant second regiment of artillery and engineers*,
 John F. Carmichael, *surgeon third regiment United States' army*.

Convention
with the Choctaws.

No. 3. A provisional convention entered into and made by brigadier general James Wilkinson, of the state of Maryland, commissioner for holding conferences with the Indians south of the Ohio river, in behalf of the United States, on the one part, and the whole Choctaw nation, by their chiefs, head men, and principal warriors, on the other part.

Mutual accommodation and perpetuation of concord.

PREAMBLE: For the mutual accommodation of the parties, and to perpetuate that concord and friendship, which so happily subsists between them, they do hereby freely, voluntarily, and without constraint, covenant and agree:

The president may, by commissioners, retrace the old British line of limits.

Art. 1. That the president of the United States may, at his discretion, by a commissioner or commissioners, to be appointed by him, by and with the advice and consent of the senate of the United States, retrace, connect, and plainly re-mark the old line of limits, established by and between his Britannic majesty and the said Choctaw nation, which begins on the left bank of the Chickasawhay river, and runs thence in an easterly direction to the right bank of the Tombigbee river, terminating on the same, at a bluff, well known by the name of Hacha Tiggeby; but it is to be clearly understood, that two Choctaw commissioners, to be appointed by the said nation, from their own body, are to attend the commissioner or commissioners of the United States who may be appointed to perform this service, for which purpose the said Choctaw nation shall be seasonably advised by the president of the United States, of the particular period at which the operation may be commenced, and the said Choctaw commissioners shall be subsisted by the United States, so long as they may be engaged on this business, and paid for their services, during the said term, at the rate of one dollar per day.

Direction of that line.

Two Choctaw commissioners to attend.

The old British line, when re-established, to form the boundary.

Art. 2. The said line, when thus re-marked and re-established, shall form the boundary between the United States and the said Choctaw nation, in that quarter: and the said Choctaw nation, for, and in consideration of one dollar, to them in hand paid by the said United States, the receipt whereof is hereby acknowledged, do hereby release to the said United States, and quit claim for ever, to all that tract of land which is included by the before named line on the north, by the Chickasawhay river on the west, by the Tombigbee and the Mobile rivers on the east, and by the boundary of the United States on the south.

Quit claim of the Choctaws to a tract of land here described.

The head men of the upper

Art. 3. The chiefs, head men, and warriors, of the said Choctaw nation, do hereby constitute, authorize, and appoint,

the chiefs and head men of the upper towns of the said nation, to make alteration in the old boundary line near the mouth of the Yazoo river, as may be found convenient, and may be done without injury to the said nation. town to make alteration in the old boundary near the Yazoo.

Art. 4. This convention shall take effect, and become obligatory on the contracting parties, as soon as the president of the United States, by and with the advice and consent of the senate, shall have ratified the same. This convention to take effect as soon as ratified.

In testimony whereof, the parties have hereunto set their hands and affixed their seals at fort Confederation, on the Tombigbee, in the Choctaw country, this 17th day of October, in the year of our Lord one thousand eight hundred and two, and of the independence of the United States the twenty-seventh.

James Wilkinson,	l. s.
<i>In behalf of the lower towns and Chickasawhay.</i>	
Tuskona Hoopoio, his x mark,	l. s.
Mingo Pooskoos, his x mark,	l. s.
Mingo Pooskoos, 2d, his x mark,	l. s.
Pocaha Mattahaw, his x mark,	l. s.
<i>In behalf of the upper towns.</i>	
Oak Chummy, his x mark,	l. s.
Tuskee Maiaby, his x mark,	l. s.
<i>In behalf of the six towns and lower town.</i>	
Latahomah, his x mark,	l. s.
Mooklahoosopoiech, his x mark,	l. s.
Mingo Hom Astubby, his x mark,	l. s.
Tuskahomah, his x mark,	l. s.

Witnesses present:

Silas Dinsmoor, agent to the Choctaws,	} interpreters.
John Pitchlynn,	
Turner Brashears,	
Peter H. Naisalis,	
John Long,	

No. 4. Treaty between the United States of America and the Choctaw nation of Indians. Treaty with the Choctaws.

To whom these presents shall come.

Know ye, that the undersigned commissioners plenipotentiary of the United States of America, of the one part, and of the whole Choctaw nation of the other part, being duly authorized by the president of the United States, and by the chiefs and head men of the said nation, do hereby establish, in conformity to the convention of fort Confederation, for the line of demarcation recognized in the said convention, the following metes and bounds, viz. Beginning in the channel of the Hatche Comesa, or Wax river, at the point where the line of limits between the United States and Spain crosseth the same, thence up the channel of said river to the confluence of the Line of demarcation established in conformity to the convention of fort Confederation. See ante, No. 3, articles 1 and 2 of this chap.

Chickasawhay and Buckhatannee rivers, thence up the channel of the Buckhatannee to Bogue Hooma or Red creek, thence up the said creek to a pine tree standing on the left bank of the same, and blazed on two of its sides, about twelve links southwest of an old trading path, leading from the town of Mobile to the Hewanee towns, much worn, but not in use at the present time. From this tree we find the following bearings and distances, viz. south fifty-four degrees thirty minutes west, one chain one link, a black gum, north thirty-nine degrees east, one chain seventy-five links, a water oak; thence with the old British line of partition in its various inflections, to a mulberry post, planted on the right bank of the main branch of Santee Bogue or Snake creek, where it makes a sharp turn to the southeast, a large broken top cypress tree standing near the opposite bank of the creek, which is about three poles wide, thence down the said creek to the Tombigbee river, thence down the Tombigbee and Mobile rivers to the above mentioned line of limits between the United States and Spain, and with the same to the point of beginning: and we, the said commissioners plenipotentiary, do ratify and confirm the said line of demarcation, and do recognize and acknowledge the same to be the boundary which shall separate and distinguish the land ceded to the United States, between the Tombigbee, Mobile, and Pascagola rivers, from that which has not been ceded by the said Choctaw nation.

The Commissioners on both sides recognize and confirm the line, &c.

In testimony whereof, we hereunto affix our hands and seals, this 31st day of August, in the year of our Lord one thousand eight hundred and three, to triplicates of this tenor and date. Done at Hoe-Buckin-too-Pa, the day and year above written, and in the twenty-seventh year of the independence of the United States.

James Wilkinson,	l. s.
Mingo Pooscoos, his x mark,	l. s.
Alatala Hooma, his x mark,	l. s.

Witnesses present:

Young Gains, *interpreter*,
Joseph Chambers, *United States' factor*,
John Bowyer, *capt. 2d U. States' regt.*

Acknowledgment by the Choctaw commissioners, of the receipt of certain specified articles as a compensation from the United States.

We, the commissioners of the Choctaw nation, duly appointed, and the chiefs of the said nation who reside on the Tombigbee river, next to Santee Bogue, do acknowledge to have received from the United States of America, by the hands of brigadier general James Wilkinson, as a consideration in full for the confirmation of the above concession, the following articles, viz: fifteen pieces of strouds, three rifles, one hundred and fifty blankets, two hundred and fifty pounds of powder,

two hundred and fifty pounds of lead, one bridle, one man's saddle, and one black silk handkerchief.

Mingo Pooscoos, his x mark,	l. s.
Alatala Hooma, his x mark,	l. s.

Commissioners of the Choctaw nation.

Pio Mingo, his x mark,	l. s.
Pasa Mastubby Mingo, his x mark,	l. s.
Tappena Oakchia, his x mark,	l. s.
Tuskenung Cooche, his x mark,	l. s.
Cussoonuckchia, his x mark,	l. s.
Pushapia, his x mark,	l. s.

Chiefs residing on the Tombigbee near to St. Stephens.

Witnesses present :

Young Gains, *interpreter,*
Joseph Chambers, *United States' factor,*
John Bowyer, *capt. 2d U. States' regt.*

No. 5. A treaty of limits between the United States of America and the Choctaw nation of Indians. Treaty with the Choctaws.

Thomas Jefferson, president of the United States of America, by James Robertson, of Tennessee, and Silas Dinsmoor, of New Hampshire, agent of the United States to the Choctaws, commissioners plenipotentiary of the United States, on the one part, and the Mingos, chiefs, and warriors, of the Choctaw nation of Indians, in council assembled; on the other part, have entered into the following agreement, viz :

Art. 1. The Mingos, chiefs, and warriors, of the Choctaw nation of Indians, in behalf of themselves, and the said nation, do, by these presents, cede to the United States of America, all the lands to which they now have or ever had claim, lying to the right of the following lines; to say : Beginning at a branch of the Humecheeto, where the same is intersected by the present Choctaw boundary, and also by the path leading from Natchez to the county of Washington, usually called McClarey's path, thence eastwardly along McClarey's path, to the east or left bank of Pearl river, thence on such a direct line as would touch the lower end of a bluff on the left bank of Chickasawhay river, the first above the Hiyoo-wannee towns, called Broken Bluff, to a point within four miles of the Broken Bluff, thence, in a direct line nearly parallel with the river, to a point whence an east line of four miles in length will intersect the river below the lowest settlement at present occupied and improved in the Hiyoo-wannee town, thence still east four miles, thence in a direct line nearly parallel with the river to a point on a line to be run from the lower end of the Broken Bluff to Faluktabunnee, on the Tombigbee river, four miles from the Broken Bluff, thence along the said line to Faluktabunnee, thence east to the bound-

The Choctaws cede all their lands lying to the right of the lines here described.

dary between the Creeks and Choctaws on the ridge dividing the waters running into the Alabama from those running into Tombigbee, thence southwardly along the said ridge and boundary to the southern point of the Choctaw claim. Reserving a tract of two miles square, run on meridians and parallels, so as to include the houses and improvements in the town of Fuketcheepona, and reserving also a tract of five thousand one hundred and twenty acres, beginning at a post on the left bank of Tombigbee river opposite the lower end of Hatchatigbee Bluff, thence ascending the river four miles front and two back; one half for the use of Alzira, the other half for the use of Sophia, daughters of Samuel Mitchell, by Molly, a Choctaw woman. The latter reserve to be subject to the same laws and regulations as may be established in the circumjacent country; and the said Mingos of the Choctaws, request that the government of the United States may confirm the title of this reserve in the said Alzira and Sophia.

Reservation of two miles square.

Reservation of 5,120 acres.

The United States requested to confirm the latter reserve.

The United States to pay to the Choctaws \$50,500; viz :

\$48,000 to pay traders and for depredations.

\$2,500 to John Pitchlynn.

The United States to pay, also, \$3,000 annually, in goods.

\$500 to each of the three great medal Mingos.

And \$150 annuity to each of them.

A tract of land, not exceeding 1,500 acres, certified

Art. 2. For and in consideration of the foregoing cession on the part of the Choctaw nation, and in full satisfaction for the same, the commissioners of the United States do hereby covenant and agree with the said nation, in behalf of the United States, that the said states shall pay to the said nation fifty thousand five hundred dollars, for the following purposes, to wit: Forty-eight thousand dollars to enable the Mingos to discharge the debt due to their merchants and traders; and also to pay for the depredations committed on stock and other property, by evil disposed persons of the said Choctaw nation; two thousand five hundred dollars to be paid to John Pitchlynn, to compensate him for certain losses sustained in the Choctaw country, and as a grateful testimonial of the nation's esteem. And the said states shall also pay annually to the said Choctaws, for the use of the nation, three thousand dollars, in such goods (at net cost of Philadelphia) as the Mingos may choose, they giving at least one year's notice of such choice.

Art. 3. The commissioners of the United States, on the part of the said states, engage to give to each of the three great medal Mingos, Pukshunubbee Mingo, Hoomastubbee, and Poosshamattaha, five hundred dollars, in consideration of past services in their nation, and also to pay to each of them an annuity of one hundred and fifty dollars during their continuance in office. It is perfectly understood, that neither of those great medal Mingos is to share any part of the general annuity of the nation.

Art. 4. The Mingos, chiefs, and warriors of the Choctaws, certify that a tract of land not exceeding fifteen hundred acres, situated between the Tombigbee river and Jackson's creek, the front or river line extending down the river from

a blazed white oak, standing on the left bank of the Tombigbee, near the head of the shoal, next above Hobukenloopa, and claimed by John McGrew, was, in fact, granted to the said McGrew by Opiomingo Hesnitta, and others, many years ago, and they respectfully request the government of the United States to establish the claim of the said McGrew to the said fifteen hundred acres.

Art. 5. The two contracting parties covenant and agree, that the boundary, as described in the second article,* shall be ascertained and plainly marked, in such way and manner as the president of the United States may direct, in the presence of three persons to be appointed by the said nation; one from each of the great medal districts, each of whom shall receive for this service two dollars per day during his actual attendance; and the Choctaws shall have due and seasonable notice of the place where, and time when, the operation shall commence.

Art. 6. The lease granted for establishments on the roads leading through the Choctaw country, is hereby confirmed in all its conditions; and, except in the alteration of boundary, nothing in this instrument shall affect or change any of the pre-existing obligations of the contracting parties.

Art. 7. This treaty shall take effect and become reciprocally obligatory, so soon as the same shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

Done on Mount Dexter, in Pooshapukanuk, in the Choctaw country, this sixteenth day of November, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States of America the thirtieth.

COMMISSIONERS.

James Robertson,	l. s.
Silas Dinsmoor,	l. s.

GREAT MEDAL MINGOS.

Pukahunnubbee, his x mark,	l. s.
Mingo Hoomastubbee, his x mark,	l. s.
Pooshamattaha, his x mark,	l. s.

CHIEFS AND WARRIORS.

Ookchummee, his x mark,	l. s.
Tuskamiubbee, his x mark,	l. s.
James Perry, his x mark,	l. s.
Levi Perry, his x mark,	l. s.
Isaac Perry, his x mark,	l. s.
William Turnbull,	l. s.

The 1st art. is presumed to be meant. The 2d does not designate a boundary.

John Carnes, his x mark,	1 s.
Tootechooma, his x mark,	1 s.
Hosahchooma, his x mark,	1 s.
Tootuhooma, 2d. his x mark,	1 s.
George James, his x mark,	1 s.
Robert M'Clure, his x mark,	1 s.
Tuskeamingo, his x mark,	1 s.
Hattukubbeehooluhta, his x mark,	1 s.
Fishoommastubbee, his x mark,	1 s.
Anoguaiah, his x mark,	1 s.
Lewis Lucas, his x mark,	1 s.
James Pitchlynn, his x mark,	1 s.
Panshee Eenanbla, his x mark,	1 s.
Pansheehoomubbu, his x mark,	1 s.

Witnesses present at signing and sealing :

Thomas Augustine Claiborne, *secretary to the commissioners,*
 John M'Kee,
 Samuel Mitchell, *United States' agent to the Chickasaw,*
 William Colbert, *of the Chickasaw, his x mark,*
 Lewis Ward,
 Charles Juzan,
 Garrud E. Nelson,
 David Chote,
 Nathaniel Tobson,
 Mdl. Mackey,
 Lewis Lefto,
 John Pitchlynn, *United States' interpreter,*
 Will. Tyrrell, *assistant interpreter.*

Treaty with the Choctaws. No. 6. A treaty of cession between the United States of America and the Choctaw nation of Indians.

James Madison, president of the United States of America, by general John Coffee, John Rhea, and John M'Kee, esquires, commissioners on the part of the United States, duly authorized for that purpose, on the one part, and the mingoes, leaders, captains, and warriors, of the Choctaw nation, in general council assembled, in behalf of themselves and the whole nation, on the other part, have entered into the following articles, which, when ratified by the president of the United States, with the advice and consent of the senate, shall be obligatory on both parties :

Cession of lands by the Choctaws, with the boundaries, &c.

Art. 1. The Choctaw nation, for the consideration hereafter mentioned, cede to the United States all their title and claim to lands lying east of the following boundary, beginning at the mouth of Ooktibbuha, the Chickasaw boundary, and running from thence down the Tombigby river, until it intersects the northern boundary of a cession made to the United States by the Choctaws, at Mount Dexter, on the 16th November, 1805.*

The U. States to pay an an-

Art. 2. In consideration of the foregoing cession, the United States engage to pay to the Choctaw nation the sum of six

* Ante, No. 5, of this chapter.

thousand dollars annually, for twenty years; they also agree to pay them in merchandise, to be delivered immediately on signing the present treaty, the sum of ten thousand dollars. unity of \$5000
for 20 years.

Done and executed in full and open council, at the Choctaw trading house, this twenty-fourth day of October, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States the forty-first.

John Coffee,
John Rhea,
John M'Kee,
Mushoolatubbee, his x mark,
Pooshamallaha, his x mark,
Pukahunnubbu, his x mark,
General Terror, his x mark,
Choctaw Eestannokee, his x mark,
General Humming Bird, his x mark,
Talking Warrior, his x mark,
David Folsom,
Bob Cole, his x mark,
Oofuppa, his x mark,
Hoopieeskittenee, his x mark,
Hoopieemiko, his x mark,
Hoopieethoma, his x mark.

Witness.

Tho. H. Williams, *secretary to the commission,*
John Fitchlynn, *interpreter,*
Turner Broashear, *interpreter,*
M. Mackey, *interpreter,*
Silas Dinsmoor,
R. Chamberlin.

No. 7. A treaty of friendship, limits, and accommodation, between the United States of America and the Choctaw nation of Indians, begun and concluded at the treaty ground, in said nation, near Doak's Stand, on the Natchez road. Treaty with
the Choctaws,
Near Doak's
Stand, 18th
Oct. 1820.

PREAMBLE.

Whereas it is an important object with the president of the United States, to promote the civilization of the Choctaw Indians, by the establishment of schools amongst them; and to perpetuate them as a nation, by exchanging, for a small part of their land here, a country beyond the Mississippi river, where all, who live by hunting and will not work, may be collected and settled together.—And whereas it is desirable to the state of Mississippi, to obtain a small part of the land belonging to said nation; for the mutual accommodation of the parties, and for securing the happiness and protection of the whole Choctaw nation, as well as preserving that harmony and friendship which so happily subsists between them and the United States, James Monroe, president of the United States of America, by An- Objects of the
treaty.

drew Jackson, of the state of Tennessee, major-general in the army of the United States, and general Thomas Hinds, of the state of Mississippi, commissioners plenipotentiary of the United States, on the one part, and the mingoes, head men, and warriors, of the Choctaw nation, in full council assembled, on the other part, have freely and voluntarily entered into the following articles, viz :

The Choctaws
cede land.

Boundaries of
the cession.

The U. States
cede a tract of
country, west
of the Missis-
sippi.

Boundaries of
the cession.

Commission-
ers to ascertain
the bounda-
ries.

A Choctaw
guide, at \$2
per day.

Art. 1. To enable the president of the United States to carry into effect the above grand and humane objects, the mingoes, head men, and warriors, of the Choctaw nation, in full council assembled, in behalf of themselves and the said nation, do, by these presents, cede to the United States of America, all the land lying and being within the boundaries following, to wit:—Beginning on the Choctaw boundary, east of Pearl river, at a point due south of the White Oak spring, on the old Indian path ; thence north to said spring ; thence northwardly to a black oak, standing on the Natchez road, about forty poles eastwardly from Doak's fence, marked A. J. and blazed, with two large pines and a black oak standing near thereto, and marked as pointers ; thence a straight line to the head of Black Creek, or Bouge Loosa ; thence down Black Creek or Bouge Loosa to a small lake ; thence a direct course, so as to strike the Mississippi one mile below the mouth of the Arkansas river ; thence down the Mississippi to our boundary ; thence round and along the same to the beginning.

Art. 2. For and in consideration of the foregoing cession, on the part of the Choctaw nation, and in part satisfaction for the same, the commissioners of the United States, in behalf of said states, do hereby cede to said nation, a tract of country west of the Mississippi river, situate between the Arkansas and Red River, and bounded as follows:—Beginning on the Arkansas river, where the lower boundary line of the Cherokees strikes the same ; thence up the Arkansas to the Canadian Fork, and up the same to its source ; thence due south to the Red River ; thence down Red River, three miles below the mouth of Little River, which empties itself into Red River on the north side ; thence a direct line to the beginning.

Art. 3. To prevent any dispute upon the subject of the boundaries mentioned in the 1st and 2d articles, it is hereby stipulated between the parties, that the same shall be ascertained and distinctly marked by a commissioner, or commissioners, to be appointed by the United States, accompanied by such person as the Choctaw nation may select ; said nation having thirty days previous notice of the time and place at which the operation will commence. The person so chosen by the Choctaws, shall act as a pilot or guide, for which the United States will pay him two dollars per day, whilst actually engaged in the performance of that duty.

Art. 4. The boundaries hereby established between the Choctaw Indians and the United States, on this side of the Mississippi river, shall remain without alteration until the period at which said nation shall become so civilized and enlightened as to be made citizens of the United States, and congress shall lay off a limited parcel of land for the benefit of each family or individual in the nation.

Boundaries east of the Mississippi to remain, until, &c.

Art. 5. For the purpose of aiding and assisting the poor Indians, who wish to remove to the country hereby ceded on the part of the United States, and to enable them to do well and support their families, the commissioners of the United States engage, in behalf of said states, to give to each warrior a blanket, kettle, rifle gun, bullet moulds and nippers, and ammunition sufficient for hunting and defence, for one year. Said warrior shall also be supplied with corn to support him and his family, for the same period, and whilst travelling to the country above ceded to the Choctaw nation.

A blanket, kettle, rifle gun, &c. to each warrior removing, &c. Corn to each warrior, for his family, &c.

Art. 6. The commissioners of the United States further covenant and agree, on the part of the said states, that an agent shall be appointed, in due time, for the benefit of the Choctaw Indians who may be permanently settled in the country ceded to them beyond the Mississippi river, and, at a convenient period, a factor shall be sent there with goods, to supply their wants. A blacksmith shall also be settled amongst them, at a point most convenient to the population; and a faithful person appointed, whose duty it shall be to use every reasonable exertion to collect all the wandering Indians belonging to the Choctaw nation, upon the land hereby provided for their permanent settlement.

An agent for the Choctaws, beyond the Mississippi, and a factor.

A blacksmith, and a person to collect wandering Indians, &c.

Art. 7. Out of the lands ceded by the Choctaw nation to the United States, the commissioners aforesaid, in behalf of said states, further covenant and agree, that fifty-four sections of one mile square shall be laid out in good land, by the president of the United States, and sold, for the purpose of raising a fund, to be applied to the support of the Choctaw schools, on both sides of the Mississippi river. Three-fourths of said fund shall be appropriated for the benefit of the schools here; and the remaining fourth for the establishment of one or more beyond the Mississippi; the whole to be placed in the hands of the president of the United States, and to be applied by him, expressly and exclusively, to this valuable object.

54 sections of land to be sold for support of the Choctaw schools.

To be applied by the president.

Art. 8. To remove any discontent which may have arisen in the Choctaw nation, in consequence of six thousand dollars of their annuity having been appropriated annually, for sixteen years, by some of the chiefs, for the support of their schools, the commissioners of the United States oblige themselves, on the part of said states, to set apart an additional tract of good land, for raising a fund equal to that given by the said

An additional tract of land, for raising a fund for the nation, &c.

Indians who are deaf, dumb, &c. to be first supplied.

chiefs, so that the whole of the annuity may remain in the nation, and be divided amongst them. And in order that exact justice may be done to the poor and distressed of said nation, it shall be the duty of the agent to see that the wants of every deaf, dumb, blind, and distressed Indian, shall be first supplied out of said annuity, and the balance equally distributed amongst every individual of said nation.

A tract of one mile square, of the lands ceded, to such as remain, &c. And full value to be paid to those who remove within a year.

Art. 9. All those who have separate settlements, and fall within the limits of the land ceded by the Choctaw nation to the United States, and who desire to remain where they now reside, shall be secured in a tract or parcel of land one mile square, to include their improvements. Any one who prefers removing, if he does so within one year from the date of this treaty, shall be paid their full value, to be ascertained by two persons, to be appointed by the president of the United States.

An equivalent to such as have valuable buildings, if they remove, &c.

Art. 10. As there are some who have valuable buildings on the roads and elsewhere upon the lands hereby ceded, should they remove, it is further agreed by the aforesaid commissioners, in behalf of the United States, that the inconvenience of doing so shall be considered, and such allowance made as will amount to an equivalent. For this purpose, there shall be paid to the Mingo, Puckshenubbe, five hundred dollars; to Harrison, two hundred dollars; to captain Cobb, two hundred dollars; to William Hays, two hundred dollars; to O'Gleno, two hundred dollars; and to all others who have comfortable houses, a compensation in the same proportion.

Choctaw warriors to be paid for services in the campaign to Pensacola, over and above, &c.

Art. 11. It is also provided by the commissioners of the United States, and they agree in behalf of said states, that those Choctaw chiefs and warriors, who have not received compensation for their services during the campaign to Pensacola, in the late war, shall be paid whatever is due them over and above the value of the blanket, shirt, flap, and leggins, which have been delivered to them.

The agent may seize and confiscate whiskey, unless introduced by permit, &c.

Art. 12. In order to promote industry and sobriety amongst all classes of the red people, in this nation, but particularly the poor, it is further provided by the parties, that the agent appointed to reside here, shall be, and he is hereby, vested with full power to seize and confiscate all the whiskey which may be introduced into said nation, except that used at public stands, or brought in by the permit of the agent, or the principal chiefs of the three districts.

200 dolls. annually, for each district, to raise a corps of light-horse, to keep good order, &c.

Art. 13. To enable the Mingoes, chiefs, and head men, of the Choctaw nation, to raise and organize a corps of light-horse, consisting of ten in each district, so that good order may be maintained, and that all men, both white and red, may be compelled to pay their just debts, it is stipulated and agreed, that the sum of two hundred dollars shall be appropriated by the United States, for each district, annually, and placed in the

hands of the agent, to pay the expenses incurred in raising and establishing said corps ; which is to act as executive officers, in maintaining good order, and compelling bad men to remove from the nation, who are not authorized to live in it by a regular permit from the agent.

Art. 14. Whereas the father of the beloved chief Mushulatubbee, of the lower towns, for and during his life, did receive from the United States the sum of one hundred and fifty dollars, annually ; it is hereby stipulated, that his son and successor Mushulatubbee, shall annually be paid the same amount during his natural life, to commence from the ratification of this treaty.

Mushulatubbee to be paid 150 dollars per annum for life.

Art. 15. The peace and harmony subsisting between the Choctaw nation of Indians and the United States, are hereby renewed, continued, and declared to be perpetual.

Peace and harmony declared to be perpetual.

Art. 16. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the commissioners plenipotentiary of the United States and the Mingoes, head men, and warriors, of the Choctaw nation, have hereunto subscribed their names and affixed their seals, at the place above written, this eighteenth day of October, in the year of our Lord one thousand eight hundred and twenty, and of the independence of the United States the forty-fifth.

ANDREW JACKSON, }
THOMAS HINDS, } *Commissioners.*

MEDAL MINGOES.

Puckahenubbee, his x mark,
Pooshawattaha, his x mark,
Mushulatubbee, his x mark.

CHIEFS AND WARRIORS.

General Humming Bird, his x mark,
James Hanizon, his x mark,
Talking Warrior, his x mark,
Little Leader, his x mark,
Captain Bob Cole, his x mark,
Red Fort, or Oolatahooma, his x mark,
Choctawistonocka, his x mark,
Oglano, his x mark,
Chuleta, his x mark,
John Frazier, his x mark,
Oakchumma, his x mark,
Nockestona, his x mark,
Chapahooma, his x mark,
Onanchahabee, his x mark,
Copatanathoco, his x mark,
Atahobia, his x mark,
Opehoola, his x mark,
Chetantanchahubbee, his x mark,

Captain Lapala, his x mark,
 Panchahabee, his x mark,
 Chuckahicks, his x mark,
 Tallahomia, his x mark,
 Totapia, his x mark,
 Hocktanlubbee, his x mark,
 Tapawanchahubbee, his x mark,
 Capt. Red Bird, his x mark,
 Capt. Jerry Carney, his x mark,
 Chapanchahabee, his x mark,
 Tunnupnuia, his x mark,
 Ponhoopia, his x mark,
 Ticbehacubbee, his x mark,
 Suttacanchihubbee, his x mark,
 Capt. William Beama, his x mark,
 Captain James Pitchlynn,
 Capt. James Garland, his x mark,
 Tapanahomia, his x mark,
 Tliahomia, his x mark,
 Tishotata, his x mark,
 Inoquia, his x mark,
 Ultetoncubbee, his x mark,
 Palochubbee, his x mark,
 Jopannu, his x mark,
 Captain Joel H. Vail,
 Tapanastonahamia, his x mark,
 Hoopihomia, his x mark,
 Chelutahomia, his x mark,
 Tusklamingo, his x mark,
 Young Captain, his x mark,
 Hakatubbee, his x mark,
 Tiahoo, his x mark,
 Capt. Bobb, his x mark,
 Hopeanchahabee, his x mark,
 Capt. Bradley, his x mark,
 Capt. Daniel M^cCurtain, his x mark,
 Mucklisahopia, his x mark,
 Nuckpullachubbee, his x mark,
 George Turnbull,
 Captain Thomas M^cCurtain, his x mark,
 Oakehonahooma, his x mark,
 Capt. John Cairns, his x mark,
 Topenastonahooma, his x mark,
 Holatohamia, his x mark,
 Col. Boyer, his x mark,
 Holantachanshahubbee, his x mark,
 Chuckahabee, his x mark,
 Washaschahopia, his x mark,
 Chatamakaha, his x mark,
 Hapeahomia, his x mark,
 William Hay, his x mark,
 Capt. Samuel Cobb, his x mark,
 Lewis Brashears, his x mark,
 Muckelehamia, his x mark,
 Capt. Sam. Magee, his x mark,
 Ticbehamia, his x mark,
 Doctor Red Bird, his x mark,
 Oontoola, his x mark,
 Pooshonshabee, his x mark,
 Casania, his x mark,
 Joseph Nelson, his x mark,
 Unahubbee, his x mark,

Red Duck, his x mark,
 Muttahubbee, his x mark,
 Capt. Ihokahatubbee, his x mark,
 Alex. Hamilton,
 Capt. Red Knife, his x mark,
 Shapahroma, his x mark,
 Capt. Tennenpoocha, his x mark,
 Mechamiabbee, his x mark,
 Tuskanohamia, his x mark,
 Tookatubbetusea, his x mark,
 William Frye, his x mark,
 Greenwood Leflore, his x mark,
 Archibald McGee, his x mark,
 Capt. Ben Burris, his x mark,
 Tusconohicca, his x mark,
 Capt. Lewis Perry, his x mark,
 Henekachubbee, his x mark,
 Tusashamia, his x mark,
 Capt. Charles Durant, his x mark,
 Piare Durant, his x mark.

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Witnesses present at sealing and signing:

Saml. R. Overton, *secretary to the commission*,
 Eden Brashears,
 J. C. Bronaugh, *asst. surg. gen. S. D. U. S. army*.
 H. D. Downs,
 Wm. F. Gangent,
 Wm. M. Graham, *1st lieut. corps of artillery*,
 Andrew J. Donaldson, *bro. 2d lt. corps of eng. and aid-de-camp to gen. Jackson*.
 P. A. Vandorn,
 John H. Esty,
 John Pitchlynn, *U. S. interpreter*,
 M. Mackey, *U. S. interpreter*,
 Edmund Falsome, *interpreter, X*,
 James Hughes,
 Geo. Fisher,
 Jas. Jackson, jr.

No. 8. Articles of a convention made between John C. Calhoun, Secretary of Treaty with War, being specially authorized therefor by the president of the United States, and the undersigned chiefs and head men of the Choctaw nation of Indians, duly authorized and empowered by said nation, at the city of Washington, on the twentieth day of January, in the year of our Lord one thousand eight hundred and twenty-five.

Whereas, a treaty of friendship, and limits, and accommodation, having been entered into at Doake's Stand, on the eighteenth of October, in the year one thousand eight hundred and twenty, between Andrew Jackson and Thomas Hinds, commissioners on the part of the United States, and the chiefs and warriors of the Choctaw nation of Indians; and whereas the second article of the treaty aforesaid provides for a cession of lands, west of the Mississippi, to the Choctaw nation, in part satisfaction for lands ceded by said nation to the United States, according to the first article of said treaty: And whereas, it being ascertained that the cession aforesaid embraces a

Reference to
 the treaty of
 1830.
 (See ante, No. 7
 of this chap.)

large number of settlers, citizens of the United States; and it being the desire of the president of the United States to obviate all difficulties resulting therefrom, and also, to adjust other matters in which both the United States and the Choctaw nation are interested: the following articles have been agreed upon, and concluded, between John C. Calhoun, Secretary of War, specially authorized therefor by the president of the United States, on the one part, and the undersigned delegates of the Choctaw nation, on the other part:

Lands ceded
to U. States.

Art. 1. The Choctaw nation do hereby cede to the United States all that portion of the land ceded to them by the second article of the treaty of Doake Stand, as aforesaid, lying east of a line beginning on the Arkansas, one hundred paces east of fort Smith, and running thence, due south, to Red River: it being understood that this line shall constitute, and remain, the permanent boundary between the United States and the Choctaws; and the United States agreeing to remove such citizens as may be settled on the west side, to the east side of said line, and prevent future settlements from being made on the west thereof.

\$6,000 to be
paid them an-
nually.

Art. 2. In consideration of the cession aforesaid, the United States do hereby agree to pay the said Choctaw nation the sum of six thousand dollars, annually, forever; it being agreed that the said sum of six thousand dollars shall be annually applied, for the term of twenty years, under the direction of the president of the United States, to the support of schools in said nation, and extending to it the benefits of instruction in the mechanic and ordinary arts of life; when, at the expiration of twenty years, it is agreed that the said annuity may be vested in stocks, or otherwise disposed of, or continued, at the option of the Choctaw nation.

\$6,000 to be
paid them an-
nually for six-
teen years,
and to avoid
delay and ex-
pense.

Art. 3. The eighth article of the treaty aforesaid having provided that an appropriation of lands shall be made for the purpose of raising six thousand dollars a year for sixteen years, for the use of the Choctaw nation; and it being desirable to avoid the delay and expense attending the survey and sale of said land; the United States do hereby agree to pay the Choctaw nation, in lieu thereof, the sum of six thousand dollars, annually, for sixteen years, to commence with the present year. And the United States further stipulate and agree to take immediate measures to survey and bring into market, and sell, the fifty-four sections of land set apart by the seventh article of the treaty aforesaid, and apply the proceeds in the manner provided by the said article.

Provision
made for all
those Choctaws
having
separate set-

Art. 4. It is provided by the ninth section of the treaty aforesaid, that all those of the Choctaw nation who have separate settlements, and fall within the limits of the land ceded by said nation to the United States, and desire to remain where

they now reside, shall be secured in a tract or parcel of land, one mile square, to include their improvements. It is, therefore, hereby agreed, that all who have reservations in conformity to said stipulation, shall have power, with the consent of the president of the United States, to sell and convey the same in fee simple. It is further agreed, on the part of the United States, that those Choctaws, not exceeding four in number, who applied for reservations, and received the recommendation of the commissioners, as per annexed copy of said recommendation, shall have the privilege, and the right is hereby given to them, to select, each of them, a portion of land, not exceeding a mile square, any where within the limits of the cession of 1830, when the land is not occupied or disposed of by the United States; and the right to sell and convey the same, with the consent of the president, in fee simple, is hereby granted.

Art. 5. There being a debt due by individuals of the Choctaw nation to the late United States' trading house on the Tombigby, the United States hereby agree to relinquish the same; the delegation, on the part of their nation, agreeing to relinquish their claim upon the United States, to send a factor with goods to supply the wants of the Choctaws west of the Mississippi, as provided for by the 6th article of the treaty aforesaid.

The debt due by individuals of the Choctaw nation to the late United States' trading house on the Tombigby, relinquished.

Art. 6. The Choctaw nation having a claim upon the United States, for services rendered in the Pensacola campaign, and for which it is stipulated, in the 11th article of the treaty aforesaid, that payment shall be made, but which has been delayed for want of the proper vouchers, which it has been found, as yet, impossible to obtain; the United States, to obviate the inconvenience of further delay, and to render justice to the Choctaw warriors for their services in that campaign, do hereby agree upon an equitable settlement of the same, and fix the sum at fourteen thousand nine hundred and seventy-two dollars fifty cents; which, from the muster rolls, and other evidence in the possession of the third auditor, appears to be about the probable amount due, for the services aforesaid, and which sum shall be immediately paid to the delegation, to be distributed by them to the chiefs and warriors of their nation, who served in the campaign aforesaid, as may appear to them to be just.

14,972 dollars and 50 cents to be paid them for services rendered in the Pensacola campaign.

Art. 7. It is further agreed, that the fourth article of the treaty aforesaid, shall be so modified, as that the congress of the United States shall not exercise the power of apportioning the lands, for the benefit of each family, or individual, of the Choctaw nation, and of bringing them under the laws of the United States, but with the consent of the Choctaw nation.

Fourth article of the aforesaid treaty to be modified.

\$2,000 to be distributed among them to satisfy claims due them by the U. States.

Art. 8. It appearing that the Choctaws have various claims against citizens of the United States, for spoliations of various kinds, but which they have not been able to support by the testimony of white men, as they were led to believe was necessary, the United States, in order to a final settlement of all such claims, do hereby agree to pay to the Choctaw delegation, the sum of two thousand dollars, to be distributed by them in such way, among the claimants, as they may deem equitable. It being understood that this provision is not to affect such claims as may be properly authenticated, according to the provision of the act of 1802.

Art. 9. It is further agreed that, immediately upon the ratification of this treaty, or as soon thereafter as may be, an agent shall be appointed for the Choctaws west of the Mississippi, and a blacksmith be settled among them, in conformity with the stipulation contained in the 6th article of the treaty of 1820.

Robert Cole to receive a medal.

Art. 10. The Chief, Puck-she-nubbee, one of the members of the delegation, having died on his journey to see the president, and Robert Cole being recommended by the delegation as his successor, it is hereby agreed, that the said Robert Cole shall receive the medal which appertains to the office of chief, and, also, an annuity from the United States, of one hundred and fifty dollars a year, during his natural life, as was received by his predecessor.

The friendship existing with said nation perpetuated.

Art. 11. The friendship heretofore existing between the United States and the Choctaw nation, is hereby renewed and perpetuated.

To take effect when ratified.

Art. 12. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said John C. Calhoun, and the said delegates of the Choctaw nation, have hereunto set their hands, at the city of Washington, the twentieth day of January, one thousand eight hundred and twenty-five,

J. C. CALHOUN.

Mooshulatubbee, his x mark,
Robert Cole, his x mark,
Daniel McCurtain, his x mark,
Talking Warrior, his x mark,
Red Fort, his x mark,
Nittuckachee, his x mark,
David Folsom, his x mark,
J. L. McDonald.

In presence of
Thos. L. McKenpey,
Hezekiah Miller,
John Fitchlynn, *United States' interpreter.*

CHAPTER VI.

Treaties between the United States of America, and the Chickasaw nation of Indians, concluded at different periods, up to the year 1814.

No. 1. Articles of a treaty, concluded at Hopewell, on the Keowee, near Seneca Old town, between Benjamin Hawkins, Andrew Pickens, and Joseph Martin, commissioners plenipotentiary of the United States of America, of the one part; and Piomingo, head warrior and first minister of the Chickasaw nation; Mingatushka, one of the leading chiefs; and Latopoina, first beloved man of the said nation, commissioners plenipotentiary of all the Chickasaws, of the other part.

The commissioners plenipotentiary of the United States of America, give peace to the Chickasaw nation, and receive them into the favor and protection of the said states, on the following conditions: The United States give peace.

Art. 1. The commissioners plenipotentiary of the Chickasaw nation, shall restore all the prisoners, citizens of the United States, to their entire liberty, if any there be in the Chickasaw nation. They shall also restore all the negroes, and all other property taken during the late war, from the citizens, if any there be in the Chickasaw nation, to such person, and at such time and place, as the commissioners of the United States of America shall appoint. Prisoners, negroes, and other property, to be restored by the Chickasaws.

Art. 2. The commissioners plenipotentiary of the Chickasaws, do hereby acknowledge the tribes and the towns of the Chickasaw nation to be under the protection of the United States of America, and of no other sovereign whosoever. The Chickasaws under the protection of the United States.

Art. 3. The boundary of the lands hereby allotted to the Chickasaw nation to live and hunt on, within the limits of the United States of America, is, and shall be the following, viz. Beginning on the ridge that divides the waters running into the Cumberland, from those running into the Tennessee, at a point in a line to be run northeast, which shall strike the Tennessee, at the mouth of Duck river; thence running westerly along the said ridge, till it shall strike the Ohio; thence down the southern banks thereof to the Mississippi; thence down the same, to the Choctaw line of Natchez district; thence along the said line, or the line of the district, eastwardly, as far as the Chickasaws claimed, and lived and hunted on, the twenty-ninth of November, one thousand seven hundred and eighty-two. Thence the said boundary, eastwardly, shall be the lands allotted to the Choctaws and Cherokees to live and hunt on, and the lands at present in the possession of the Creeks; saving and reserving for the establishment of a trading post, a tract or parcel of land to be laid out at the lower post of the Muscle Shoals, at the mouth of Ocochappo, in a circle, the diameter of which shall be five miles on the said river, which post, and the lands Boundary of the lands allotted to the Chickasaws.

Reservation for a trading post at the Muscle Shoals.

annexed thereto, shall be to the use and under the government of the United States of America.

Citizens settling on Chickasaw lands, outlawed.

Art. 4. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Chickasaws to live and hunt on, such person shall forfeit the protection of the United States of America; and the Chickasaws may punish him or not, as they please.

Chickasaws to deliver up robbers, murderers, &c. for punishment.

Art. 5. If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States, or person under their protection, the tribe to which such offender or offenders may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in congress assembled: provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Punishment not to exceed that of a citizen.

The robbing or murdering a Chickasaw, punished the same as if a citizen.

Art. 6. If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the robbery or murder, or other capital crime, had been committed on a citizen of the United States of America; and the punishment shall be in presence of some of the Chickasaws if any will attend at the time and place, and that they may have an opportunity so to do, due notice, if practicable, of such intended punishment, shall be sent to some one of the tribes.

Chickasaws may attend the punishment.

Retaliation for private injuries, prohibited.

Art. 7. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

Congress to regulate the Chickasaw trade.

Art. 8. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Temporary free trade with the Chickasaw towns.

Art. 9. Until the pleasure of congress be known, respecting the eighth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Chickasaws to trade with them, and they shall be protected in their persons and property, and kindly treated.

The Chickasaws to give notice of hostile designs.

Art. 10. The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whosoever, against the peace, trade, or interest of the United States of America.

Art. 11. The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said states on the one part, and the Chickasaw nation on the other part, shall be universal; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

The hatchet
forever buried,
and peace
universal.

In witness of all and every thing herein contained, between the said states and Chickasaws, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this tenth day of January, in the year of our Lord one thousand seven hundred and eighty-six.

Benjamin Hawkins,	l. s.
Andw. Pickens,	l. s.
Jos. Martin,	l. s.
Piomingo, his x mark,	l. s.
Mingatuahka, his x mark,	l. s.
Latopois, his x mark,	l. s.

Witness.

Wm. Blount,
Wm. Hazard,
Sam. Taylor,
James Cole, sworn interpreter.

No. 2. A treaty of reciprocal advantages and mutual convenience, between the United States of America and the Chickasaws.

Treaty with
the Chicka-
saws.

The president of the United States of America, by James Wilkinson, brigadier general in the service of the United States, Benjamin Hawkins, of North-Carolina, and Andrew Pickens, of South-Carolina, commissioners of the United States, who are vested with full powers, and the Mingo, principal men, and warriors, of the Chickasaw nation, representing the said nation, have agreed to the following articles:

Art. 1. The Mingo, principal men, and warriors, of the Chickasaw nation of Indians, give leave and permission to the president of the United States of America, to lay out, open, and make, a convenient wagon road through their land between the settlements of Mero district, in the state of Tennessee, and those of Natchez, in the Mississippi territory, in such way and manner as he may deem proper; and the same shall be a highway for the citizens of the United States, and the Chickasaws. The Chickasaws shall appoint two discreet men to serve as assistants, guides, or pilots, during the time of laying out and opening the road, under the direction of the officer charged with that duty, who shall have a reasonable compensation for their service: provided always, that the necessary ferries over

The Chicka-
saws allow
a road to be
opened be-
tween the set-
tlements of
Mero and
those of Nat-
chez.

Chickasaw as-
sistants, &c.

Ferries to be
the property

of the Chickasaws. the water courses, crossed by the said road, shall be held and deemed to be the property of the Chickasaw nation.

The United States give \$700 worth of goods to the Chickasaws.

Art. 2. The commissioners of the United States give to the Mingo of the Chickasaws, and the deputation of that nation, goods to the value of seven hundred dollars, to compensate him and them, and their attendants, for the expense and inconvenience they may have sustained by their respectful and friendly attention to the president of the United States of America, and to the request made to them in his name, to permit the opening of the road. And as the persons, towns, villages, lands, hunting grounds, and other rights and property of the Chickasaws, as set forth in the treaties or stipulations heretofore entered into between the contracting parties, more especially in and by a certificate of the president of the United States of America, under their seal of the first of July, 1794, are in the peace and under the protection of the United States, the commissioners of the United States do hereby further agree, that the president of the United States of America shall take such measures, from time to time, as he may deem proper, to assist the Chickasaws to preserve entire all their rights against the encroachments of unjust neighbors, of which he shall be the judge; and also to preserve and perpetuate friendship and brotherhood between the white people and the Chickasaws.

The president to take measures to preserve the rights of the Chickasaws.

1st art. may be carried into immediate effect.

This treaty effective as soon as ratified.

Art. 3. The commissioners of the United States may, if they deem it advisable, proceed immediately to carry the first article into operation: * and the treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the United States.

In testimony whereof, we, the plenipotentiaries, have hereto subscribed our names and affixed our seals, at Chickasaw Bluffs, the twenty-fourth of October, 1801.

James Wilkinson, <i>brig. genl.</i>	1 s.
Benjamin Hawkins,	1 s.
Andw. Pickens,	1 s.
Chinmimbe Mingo, his x mark,	1 s.
Immuttauhaw, his x mark,	1 s.
Chumaube, his x mark,	1 s.
George Colbert, his x mark,	1 s.
William M'Gillivray, his x mark,	1 s.
Opiehoomuh, his x mark	1 s.
Olohtohopoie, his x mark,	1 s.
Minkemattauhau, his x mark,	1 s.
Tuskroopoie, his x mark,	1 s.
William Glover, his x mark,	1 s.
Thomas Brown, his x mark,	1 s.
William Colbert, W. C.	1 s.

* To make the road provided for by the 1st article of this treaty, which is here referred to.

Mooklahopoie, his x mark,	l. s.
Opoicohauhtau, his x mark,	l. s.
Teschoolauhtau, his x mark,	l. s.
Teschoolauptau, his x mark,	l. s.
James Underwood, his x mark,	l. s.

Samuel Mitchell, *agent to the Chickasaws,*
 Malcolm M'Gee, *his x signature, interpreter to the Chickasaws,*
 William R. Bootes, *capt. 3d regt. and aid de camp,*
 J. B. Walback, *lieutenant and aid de camp,*
 Jn. Wilson, *lieut. 3d regiment.*

No. 3. Articles of arrangement made and concluded in the Chickasaw coun- Treaty with try, between James Robertson and Silas Dinsmoor, commissioners of the the Chicka- United States, of the one part, and the Mingo, chiefs, and warriors, of the saws. Chickasaw nation of Indians, on the other part.

Art. 1. Whereas the Chickasaw nation of Indians have The Chicka- been for some time embarrassed by heavy debts due to their saws embar- merchants and traders, and being destitute of funds to effect im- rassed by portant improvements in their country, they have agreed and heavy debts. do hereby agree to cede to the United States, and forever quit They cede claim to the tract of country included within the following lands. bounds, to wit: beginning on the left bank of Ohio, at the Boundary of point where the present Indian boundary adjoins the same, ed. the lands ced- thence down the left bank of Ohio to the Tennessee river, thence up the main channel of the Tennessee river to the mouth of Duck river; thence up the left bank of Duck river to the Columbian highway, or road leading from Nashville to Natchez, thence along the said road to the ridge dividing the waters running into Duck river from those running into Buffalo river, thence eastwardly along the said ridge to the great ridge dividing the waters running into the main Tennessee river from those running into Buffalo river near the main source of Buffalo river, thence in a direct line to the Great Tennessee River near the Chickasaw Old Fields, or eastern point of the Chickasaw claim, on that river; thence northwardly to the great ridge dividing the waters running into the Tennessee from those running into Cumberland river, so as to include all the waters running into Elk river, thence along the top of said ridge to the place of beginning: reserving a tract of one mile square adjoining to, and below the mouth of Duck river, on the Tennessee, for the use of the chief O Koy, or Lishmas- Reservation tubbee. for O Koy.

Art. 2. The United States on their part, and in considera- The United tion of the above cession, agree to make the following pay- States to pay ments, to wit: twenty thousand dollars for the use of the na- \$20,000. tion at large, and for the payment of the debts due to their \$1,000 to merchants and traders; and to George Colbert and O Koy two George Col- thousand dollars, that is, to each one thousand dollars. This bert, and sum is granted to them at the request of the national council, \$1,000 to O Koy.

Annuity of
\$100 to Chin-
nubbee Mingo.

The boundary
described in
the 1st art. of
this treaty to
be marked by
commission-
ers.

No settlement
by citizens, on
part of the
lands ceded,
for three
years.

These arti-
cles, when
ratified, to be
permanent ad-
ditions. Ante,
Nos. 1, and 2,
of this chap.

for services rendered their nation, and is to be subject to their individual order, witnessed by the resident agent; also to Chin-nubbee Mingo, the king of the nation, an annuity of one hundred dollars during his natural life, granted as a testimony of his personal worth and friendly disposition. All the above payments are to be made in specie.

Art. 3. In order to preclude forever all disputes relative to the boundary mentioned in the first section, it is hereby stipulated, that the same shall be ascertained and marked by a commissioner or commissioners on the part of the United States, accompanied by such person as the Chickasaws may choose, so soon as the Chickasaws shall have thirty days' notice of the time and place at which the operation is to commence: and the United States will pay the person appointed on the part of the Chickasaws two dollars per day, during his actual attendance on that service.

Art. 4. It is hereby agreed on the part of the United States, that from and after the ratification of these articles, no settlement shall be made by any citizen, or permitted by the government of the United States, on that part of the present cession included between the present Indian boundary and the Tennessee, and between the Ohio and a line drawn due north from the mouth of Buffalo to the ridge dividing the waters of Cumberland from those of the Tennessee river, to the term of three years.

Art. 5. The article now stipulated, will be considered as permanent additions to the treaties now in force between the contracting parties, as soon as they shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

In witness of all and every thing herein determined, the parties have hereunto interchangeably set their hands and seals, in the Chickasaw country, this twenty-third day of July, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States of America the thirtieth.

COMMISSIONERS.

James Robertson,	l. s.
Silas Dinsmoor,	l. s.

CHIEFS AND WARRIORS.

Chenubbee Mingo, the king, his x mark,	l. s.
George Colbert, his x mark,	l. s.
O Koy, his x mark,	l. s.
Tiphu Mashtubbee, his x mark,	l. s.
Choomubbee, his x mark,	l. s.
Mingo Mattaba, his x mark,	l. s.
E. Mattaba Meko, his x mark,	l. s.
Wm. M'Gillivry, his x mark,	l. s.
Tishoo Hooluhta, his x mark,	l. s.
Levi Colbert, his x mark,	l. s.

Signed, sealed, and interchanged, in presence of

Thomas Augustine Claiborne, *secretary to the commissioners,*
Samuel Mitchell, *U. S. agent to the Chickasaw nation,*
John M'Kee,

R. Chamberlin, *second lieut. second regt. infantry,*

W. P. Anderson, *of Tennessee,*

Malcolm M'Gee, *his x mark,*

John Pitchlynn,

Christopher Olney,

Wm. Tyrrell,

sworn interpreters.

No. 4. To settle all territorial controversies, and to perpetuate that peace and Treaty with harmony which has long happily subsisted between the United States and the Chickasaw nation, the president of the United States of America, by major general Andrew Jackson, general David Meriwether, and Jesse Franklin, esq. on the one part, and the whole Chickasaw nation, in council assembled, on the other, have agreed on the following articles, which, when ratified by the president, with the advice and consent of the senate of the United States, shall be binding on all parties.

Art. 1. Peace and friendship are hereby firmly established and perpetuated between the United States of America and Chickasaw nation. *Peace and friendship established.*

Art. 2. The Chickasaw nation cede to the United States (with the exception of such reservations as shall hereafter be specified) all right or title to lands on the north side of the Tennessee river, and relinquish all claim to territory on the south side of said river, and east of a line commencing at the mouth of Caney creek, running up said creek to its source, thence a due south course to the ridge path, or commonly called Gaines' road, along said road south-westwardly to a point on the Tombigby river, well known by the name of the Cottongin port, and down the west bank of the Tombigby to the Choctaw boundary. *The Chickasaws cede lands with specified reservations.*

Art. 3. In consideration of the relinquishment of claim, and cession of lands, made in the preceding article, the commissioners agree to allow the Chickasaw nation twelve thousand dollars per annum for ten successive years, and four thousand five hundred dollars to be paid, in sixty days after the ratification of this treaty, into the hands of Levi Colbert, as a compensation for any improvements which individuals of the Chickasaw nation may have had on the lands surrendered; that is to say, two thousand dollars for improvements on the east side of the Tombigby, and two thousand five hundred dollars for improvements on the north side of the Tennessee river. *\$12,000 per annum to the Chickasaws for ten years, and \$4,500 for improvements.*

Art. 4. The commissioners agree that the following tracts of land shall be reserved to the Chickasaw nation: *Tracts of land reserved.*

1. One tract of land for the use of col. George Colbert and heirs, and which is thus described by said Colbert: "Beginning on the north bank of the Tennessee river, at a point that," *1. For George Colbert, and heirs.*

(With respect to this and subsequent reservations, see the treaty of 19th Oct. 1818, which follows this, No. 5, of this chapter.) running north four miles, will include a big spring, about half way between his ferry and the mouth of Cypress, it being a spring that a large cow-path crosses its branch near where a cypress tree is cut down; thence westwardly to a point, four miles from the Tennessee river, and standing due north of a point on the north bank of the river, three miles below his ferry on the Tennessee river, and up the meanders of said river to the beginning point.

2. For Appassantubby and his heirs.

Art. 2. A tract of land, two miles square, on the north of the Tennessee river, and at its junction, with Beach creek, for the use of Appassantubby and heirs.

3. For John M'Cleish and his heirs.

3. A tract of land, one mile square, on the north side of the Tennessee river, for the use of John M'Cleish and heirs, the said tract to be so run as to include the said M'Cleish's settlement and improvements on the north side of Buffalo creek.

4. For Levi Colbert and his heirs.

4. Two tracts of land, containing forty acres each, on the south side of Tennessee river, and about two and a half miles below the Cottongin port, on the Tombigby river, which tracts of land will be pointed out by major Levi Colbert, and for the use of said Colbert and heirs.

If the reserved lands are abandoned by the proprietors or heirs, they revert as ceded territory.

It is stipulated, that the above reservation shall appertain to the Chickasaw nation only so long as they shall be occupied, cultivated, or used, by the present proprietors or heirs; and in the event of all, or either of said tracts of land, so reserved, being abandoned by the present proprietors or heirs, each tract or tracts of land so abandoned, shall revert to the United States, as a portion of that territory ceded by the second article of this treaty.

The line on the south side of Tennessee river to be ascertained and marked by commissioners, &c.

Commissioners to be attended by two persons from the Chickasaw nation.

Presents to the Chickasaw king and others.

Art. 5. The two contracting parties covenant and agree, that the line on the south side of the Tennessee river, as described in the second article of this treaty, shall be ascertained and marked by commissioners to be appointed by the president of the United States; that the marks shall be bold, trees to be blazed on both sides of the line, and the fore and aft trees to be marked with the letters U. S. That the commissioners shall be attended by two persons, to be designated by the Chickasaw nation, and that the said nation shall have due and reasonable notice when said operation is to be commenced.

Art. 6. In consideration of the conciliatory disposition evinced during the negotiation of this treaty, by the Chickasaw chiefs and warriors, but more particularly as a manifestation of the friendship and liberality of the president of the United States, the commissioners agree to give, on the ratification of this treaty, to Chinnubby, king of the Chickasaws, to Tishshomingo, William M'Gilvery, Arpasarshtubby, Samuel Seeley, James Brown, Levi Colbert, Ikaryoucullaha, George Pettagrove, Immartarharmicko, Chickasaw chiefs, and to Malcum M'Gee, interpreter, one hundred and fifty dollars each, in goods or

cash, as may be preferred ; and to major William Glover, col. George Colbert, captain Rabbit, Hoparyeahoummar, Immoukeloursharhoparyea, Hoparyeahoullartir, Tushkerhopoyyea, Hoparyeahoummar, jun. Immoukelusharhopoyyea, James Colbert, Coweamarthlar, and Illachouwarhopoyyea, military leaders, one hundred dollars each ; and as a particular mark of distinction and favor for his long services and faithful adherence to the United States' government, the commissioners agree to allow to general William Colbert an annuity of one hundred dollars, for and during his life.

Annuity to
Wm. Colbert.
for life.

Art. 7. "Whereas the chiefs and warriors of the Chickasaw nation have found, from experience, that the crowd of pedlars, who are constantly traversing their nation, from one end to the other, is of a serious disadvantage to the nation ; that serious misunderstandings and disputes frequently take place, as well as frauds, which are often practised on the ignorant and uninformed of the nation ; therefore, it is agreed by the commissioners on the part of the government, and the chiefs of the nation, that no more licences shall be granted by the agent of the Chickasaws to entitle any person or persons to trade or traffic merchandise in said nation ; and that any person or persons, whomsoever, of the white people, who shall bring goods and sell them in the nation contrary to this article, shall forfeit the whole of his or their goods, one half to the nation and the other half to the government of the United States ; in all cases where this article is violated, and the goods are taken or seized, they shall be delivered up to the agent, who shall hear the testimony, and judge accordingly."

In consequence of the crowd of pedlars, &c. no licences are in future to be granted by the Chickasaw agent for persons to trade.

White persons bringing goods into the nation, shall forfeit them; half to the nation, &c.

This article was presented to the commissioners by the chiefs and warriors of the Chickasaw nation, and by their particular solicitation embraced in this treaty.

In testimony whereof, the said commissioners and undersigned chiefs and warriors have set their hands and seals. Done at the Chickasaw council house, this twentieth day of September, in the year of our Lord one thousand eight hundred and sixteen.

Andrew Jackson,	l. s.
D. Meriwether,	l. s.
J. Franklin,	l. s.
Chanubby, King, his x mark,	i. s.
Tishshomingo, his x mark,	l. s.
William M ^c Gilvray, his x mark,	l. s.
Arpasarhtubby, his x mark,	l. s.
Samuel Seeley, his x mark.	l. s.
James Brown, his x mark,	l. s.
Levi Colbert, his x mark,	l. s.
Ickaryoucuttaha, his x mark,	l. s.
George Pettygrove, his x mark,	l. s.
Immartarharmico, his x mark,	l. s.
Maj. gen. Wm. olbert, his x mark,	l. s.
Major William Glover, his x mark,	l. s.

Major George Colbert, his x mark,	l. a.
Captain Rabbit, his x mark,	l. a.
Hopoyeahoummar, his x mark,	l. a.
Immouklusharhopoyea, his x mark,	l. a.
Hopoyeahoullarter, his x mark,	l. a.
Tushkarhopoyea, his x mark,	l. a.
Hopoyeahoummar, jr. his x mark,	l. a.
Immouklusharhopoyea, his x mark,	l. a.
James Colbert, his x mark,	l. a.
Coweamarthtar, his x mark,	l. a.
Illachouwarhopoyea, his x mark,	h. a.

Witness:

James Gadaden, *secretary*,
 William Cocke,
 John Rhea,
 Malcum M'Gee,
 James Colbert, *interpreter*.

Treaty with
the Chicka-
saws.

No. 5. To settle all territorial controversies, and to remove all ground of complaint or dissatisfaction, that might arise to interrupt the peace and harmony which have so long and so happily existed between the United States of America and the Chickasaw nation of Indians, James Monroe, president of the said United States, by Isaac Shelby and Andrew Jackson, of the one part, and the whole Chickasaw nation, by their chiefs, head men, and warriors, in full council assembled, of the other part, have agreed on the following articles; which, when ratified by the president and senate of the United States of America, shall form a treaty binding on all parties.

Peace and
friendship
perpetual.

Art. 1. Peace and friendship are hereby firmly established and made perpetual, between the United States of America and the Chickasaw nation of Indians.

Art. 2. To obtain the object of the foregoing article, the Chickasaw nation of Indians cede to the United States of America, (with the exception of such reservation as shall be hereafter mentioned,) all claim or title which the said nation has to the land lying north of the south boundary of the state of Tennessee, which is bounded south by the thirty-fifth degree of north latitude, and which lands, hereby ceded, lie within the following boundaries, viz: Beginning on the Tennessee river, about thirty-five miles, by water, below Colonel George Colbert's ferry, where the thirty-fifth degree of north latitude strikes the same; thence, due west, with said degree of north latitude, to where it cuts the Mississippi river at or near the Chickasaw Bluffs; thence, up the said Mississippi river, to the mouth of the Ohio; thence, up the Ohio river, to the mouth of Tennessee river; thence, up the Tennessee river, to the place of beginning.

Cession of
land by the
Chickasaws.
\$20,000, for
15 successive
years, to the
Chickasaws.

Art. 3. In consideration of the relinquishment of claim and cession of lands in the preceding article, and to perpetuate the happiness of the Chickasaw nation of Indians, the commissioners of the United States, before named, agree to allow the said nation the sum of twenty thousand dollars per annum, for

fifteen successive years, to be paid annually; and, as a further consideration for the objects aforesaid, and at the request of the chiefs of the said nation, the commissioners agree to pay captain John Gordon, of Tennessee, the sum of one thousand one hundred and fifteen dollars, it being a debt due by general William Colbert, of said nation, to the aforesaid Gordon; and the further sum of two thousand dollars, due by said nation of Indians, to captain David Smith, now of Kentucky, for that sum by him expended, in supplying himself and forty-five soldiers from Tennessee, in the year one thousand seven hundred and ninety-five, when assisting them (at their request and invitation,) in defending their towns against the invasion of the Creek Indians; both which sums, (on the application of the said nation,) are to be paid, within sixty days after the ratification of this treaty, to the aforesaid Gordon and Smith.

Art. 4. The commissioners agree, on the further and particular application of the chiefs, and for the benefit of the poor and warriors of the said nation, that a tract of land, containing four miles square, to include a salt lick or springs, on or near the river Sandy, a branch of the Tennessee river, and within the land hereby ceded, be reserved, and to be laid off in a square or oblong, so as to include the best timber, at the option of their beloved chief Levi Colbert and Major James Brown, or either of them; who are hereby made agents and trustees for the nation, to lease the said salt lick or springs, on the following express conditions, viz: For the benefit of this reservation, as before recited, the trustees or agents are bound to lease the said reservation to some citizen or citizens of the United States, for a reasonable quantity of salt, to be paid annually to the said nation, for the use thereof; and that, from and after two years after the ratification of this treaty, no salt, made at the works to be erected on this reservation, shall be sold within the limits of the same for a higher price than one dollar per bushel of fifty pounds weight; on failure of which the lease shall be forfeited, and the reservation revert to the United States.

Art. 5. The commissioners agree, that there shall be paid to Oppassantubby, a principal chief of the Chickasaw nation, within sixty days after the ratification of this treaty, the sum of five hundred dollars, as a full compensation for the reservation of two miles square, on the north side of Tennessee river, secured to him and his heirs by the treaty held, with the said Chickasaw nation, on the twentieth day of September, 1816; and the further sum of twenty-five dollars to John Lewis, a half breed, for a saddle he lost while in the service of the United States; and, to show the regard the president of the United States has for the said Chickasaw nation, at the request of the chiefs of the said nation, the commissioners agree that the sum of one thousand and eighty-nine dollars shall be paid to Maj.

The U. S. to pay John Gordon,

and David Smith,

Within 60 days.

Reservations for the Chickasaws.

Salt lick.

Levi Colbert and James Brown, agents, &c.

Terms on which the salt lick may be leased.

500 dollars to Oppassantubby.

(*1st Regs, Acts 2d session 14th Congress.)

25 dollars to John Lewis.

1089 dollars to J. Colbert—

money stolen from him at Baltimore.

The reservations made to G. and L. Colbert, to enure to them and their heirs and assigns forever, &c.

(It should be the twentieth. there is no treaty with the Chickasaws of 26th Sept. 1816. See ante, No. 4, of this chap.

The lands of the Colberts, and those living on it, subject to the laws of the U. S.

The reservation of J. McCleish to enure to him and his heirs and assigns, on the same terms.

The line of the south boundary of Tennessee to be marked.

Compensation for improvements on lands ceded by the Chickasaws.

150 dollars in cash to each of

James Colbert, interpreter, within the period stated in the first part of this article, it being the amount of a sum of money taken from his pocket, in the month of June, 1816, at the theatre in Baltimore: And the said commissioners, as a further regard for said nation, do agree that the reservations made to George Colbert and Levi Colbert, in the treaty held at the council house of said nation, on the twenty-sixth day of September, 1816, the first to Col. George Colbert, on the north side of Tennessee river, and those to Maj. Levi Colbert, on the east side of the Tombigby river, shall enure to the sole use of the said Col. George Colbert, and Maj. Levi Colbert, their heirs and assigns, forever, with their butts and bounds, as defined by said treaty, and agreeable to the marks and boundaries as laid off and marked by the surveyor of the United States, where that is the case, and where the reservations have not been laid off and marked by a surveyor of the United States, the same shall be so done as soon after the ratification of this treaty as practicable, on the application of the reservees, or their legally appointed agent under them, and agreeably to the definition in the before recited treaty. This agreement is made on the following express conditions: that the said land, and those living on it, shall be subject to the laws of the United States, and all legal taxation that may be imposed on the land or citizens of the United States inhabiting the territory where said land is situated. The commissioners further agree, that the reservation secured to John McCleish, on the north side of Tennessee river, by the before recited treaty, in consequence of his having been raised in the state of Tennessee, and marrying a white woman, shall enure to the sole use of the said John McCleish, his heirs and assigns, forever, on the same conditions attached to the lands of Col. George Colbert and Maj. Levi Colbert, in this article.

Art. 6. The two contracting parties covenant and agree, that the line of the south boundary of the state of Tennessee, as described in the second article of this treaty, shall be ascertained and marked by commissioners appointed by the president of the United States; that the marks shall be bold; the trees to be blazed on both sides of the line, and the fore and aft trees marked U. S.; and that the commissioners shall be attended by two persons, to be designated by the Chickasaw nation; and the said nation shall have due and seasonable notice when said operation is to be commenced. It is further agreed by the commissioners, that all improvements actually made by individuals of the Chickasaw nation, which shall be found within the lands ceded by this treaty, that a fair and reasonable compensation shall be paid therefor, to the respective individuals having made or owned the same.

Art. 7. In consideration of the friendly and conciliatory disposition evinced during the negotiation of this treaty, by the

Chickasaw chiefs and warriors, but more particularly, as a manifestation of the friendship and liberality of the president of the United States, the commissioners agree to give, on the ratification of this treaty, to Chinnubby, king of the Chickasaw nation, to Teshuamingo, William M'Gilvery, Anpassantubby, Samuel Seely, James Brown, Levi Colbert, Ickaryoucuttaha, George Pettygrove, Immartarharmicco, Chickasaw chiefs, and to Malcolm M'Gee, interpreter to this treaty, each, one hundred and fifty dollars, in cash; and to Major William Glover, Col. George Colbert, Hopoyeahaummar, Immauklusharhopoyea, Tushkarhopoyea, Hopoyeahaummar, jun. Immauklusharhopoyea, James Colbert, Coweamarthlar, Ilackhouwarhopoyea, military leaders, one hundred dollars each; and do further agree, that any annuity heretofore secured to the Chickasaw nation of Indians, by treaty, to be paid in goods, shall hereafter be paid in cash.

100 dollars each to certain other individuals.

Annuities hereafter wholly in cash.

In testimony whereof the said commissioners, and undersigned chiefs and warriors, have set their hands and seals. Done, at the treaty ground east of Old Town, this nineteenth day of October, in the year of our Lord one thousand eight hundred and eighteen.

ISAAC SHELBY,
ANDREW JACKSON.

Levi Colbert, his x mark,
Samuel Seely, his x mark,
Chinnubby, King, his x mark,
Teshuamingo, his x mark,
William M'Gilvery, his x mark,
Arpaasheushtubby, his x mark,
James Brown, his x mark,
Ickaryaucuttaha, his x mark,
George Pettygrove, his x mark,
Immartarharmicco, his x mark,
Major General William Colbert, his x mark,
Major William Glover, his x mark,
Hopayahaummar, his x mark,
Immauklusharhopoyea, his x mark,
Tuskaehopoyea, his x mark,
Hopoyahaummar, jun. his x mark,
Immauklusharhopoyea, his x mark,
James Colbert,
Coweamarthlar, his x mark,
Ilackhanwarhopoyea, his x mark,
Col. George Colbert, his x mark.

In the presence of

Robert Butler, *Adj't. gen. and Secretary,*
Th. J. Sherburne, *agent for the Chickasaw nation of Indians,*
Malcolm M'Gee, *interpreter,* his x mark,
Martin Colbert,
J. C. Bronaugh, *ass't inspec. gen. S. D.*
Thos. H. Shelby, of Kentucky,
R. K. Call, *capt. U. S. Army,*
Benjamin Smith, of Kentucky,
Richard I. Easter, *A. D. Q. M. gen.*
Ma. B. Winchester,
W. B. Lewis.

CHAPTER VII.

Treaty between the United States of America and the Shawanee nation of Indians.

Treaty with the Shawanees.

No. 1. Articles of a treaty concluded at the mouth of the Great Miami, on the northwestern bank of the Ohio, the thirty-first day of January, one thousand seven hundred and eighty-six, between the commissioners plenipotentiary of the United States of America, of the one part, and the chiefs and warriors of the Shawanee nation, of the other part.

The Shawanees to deliver three hostages for the restoration of prisoners.

Art. 1. Three hostages shall be immediately delivered to the Commissioners, to remain in the possession of the United States until all the prisoners, white and black, taken in the late war, from among the citizens of the United States, by the Shawanee nation, or by any other Indian or Indians residing in their towns, shall be restored.

The Shawanees acknowledge the right of the United States to the territory ceded by Great Britain.

Art. 2. The Shawanee nation do acknowledge the United States to be the sole and absolute sovereigns of all the territory ceded to them by a treaty of peace, made between them and the king of Great Britain, the fourteenth day of January, one thousand seven hundred and eighty-four.

The Shawanees to deliver up robbers, murderers, &c. for punishment.

Art. 3. If any Indian or Indians of the Shawanee nation, or any other Indian or Indians residing in their towns, shall commit murder or robbery on, or do any injury to, the citizens of the United States, or any of them, that nation shall deliver such offender or offenders to the officer commanding the nearest post of the United States, to be punished according to the ordinances of congress; and in like manner, any citizen of the United States, who shall do an injury to any Indian of the Shawanee nation, or to any other Indian or Indians residing in their towns, and under their protection, shall be punished according to the laws of the United States.

Citizens to be punished for injuring Shawanees.

The Shawanees neglecting to give notice of hostile designs, to be considered as parties.

Art. 4. The Shawanee nation having knowledge of the intention of any nation or body of Indians to make war on the citizens of the United States, or of their counselling together for that purpose, and neglecting to give information thereof to the commanding officer of the nearest post of the United States, shall be considered as parties in such war, and be punished accordingly: and the United States shall, in like manner, inform the Shawanees of any injury designed against them.

The United States grant peace and protection.

Art. 5. The United States do grant peace to the Shawanee nation, and do receive them into their friendship and protection.

Boundary line of the lands allowed to the

Art. 6. The United States do allot to the Shawanee nation, lands within their territory to live and hunt upon, beginning at the south line of the lands allotted to the Wyandots and Delaware nations, at the place where the main branch of

the Great Miami, which falls into the Ohio, intersects said line; then down the river Miami, to the fork of that river, next below the old fort which was taken by the French in one thousand seven hundred and fifty-two; thence due west to the river de la Panse; then down that river to the river Wabash; beyond which lines none of the citizens of the United States shall settle, nor disturb the Shawanees in their settlement and possessions. And the Shawanees do relinquish to the United States, all title, or pretence of title, they ever had to the lands east, west, and south, of the east, west, and south lines before described.

Shawanees,
for living and
hunting on.

Citizens not to
settle within
the lines de-
scribed.

Art. 7. If any citizen or citizens of the United States, shall presume to settle upon the lands allotted to the Shawanees by this treaty, he or they shall be put out of the protection of the United States.

Citizens set-
tling on Shaw-
anee lands,
outlawed.

In testimony whereof, the parties hereunto have affixed their hands and seals, the day and year first abovementioned.

G. Clark,	l. s.
Richard Butler,	l. s.
Saml. H. Parsons,	l. s.
Aweecony, his x mark,	l. s.
Kakawipilathy, his x mark,	l. s.
Malunthy, his x mark,	l. s.
Musquaconocah, his x mark,	l. s.
Meanymsceah, his x mark,	l. s.
Waupaucowela, his x mark,	l. s.
Nihipeewa, his x mark,	l. s.
Nihinessicoe, his x mark,	l. s.

Attest. Alexander Campbell, *sec'y commissioners.*

Witnesses.

W. Finney, *maj. B. B.*
 Thos. Doyle, *capt. B. B.*
 Nathan McDowell, *ensign,*
 John Saffenger,
 Henry Govy,
 Kagy Galloway, his x mark,
 John Boggs,
 Sam. Montgomery,
 Daniel Elliott,
 James Rinker,
 Nathl. Smith,
 Joseph Suffrein, his x mark, or Kemopemo Shawno,
 Isaac Zane, (Wyandot) his mark,
 The Half King of the Wyandots, } their x marks,
 The Crane of the Wyandots, }
 Capt. Pipe, of the Delawares, his x mark,
 Capt. Bohongehelas, his x mark,
 Tetebockahicka, his x mark,
 The Big Cat of the Delawares, his x mark,
 Pierre Droullar.

[*Note.* The Shawanees are, moreover, parties, in common with different Indian tribes, to other treaties, for which see ante chap. 3, Nos. 3, 4, 6, 9, 12, 13, 16, 17.]

CHAPTER VIII.

Treaties with the Creek nation of Indians.

Treaty with
the Creeks.

No. 1. A treaty of peace and friendship, made and concluded between the president of the United States of America, on the part and behalf of the said states, and the undersigned kings, chiefs, and warriors, of the Creek nation of Indians, on the part and behalf of the said nation.

The parties
desirous of es-
tablishing per-
manent peace,
&c.

The parties being desirous of establishing permanent peace and friendship between the United States and the said Creek nation, and the citizens and members thereof, and to remove the causes of war by ascertaining their limits, and making other necessary, just, and friendly arrangements: the president of the United States, by Henry Knox, secretary for the department of war, whom he hath constituted with full powers for these purposes, by and with the advice and consent of the senate of the United States, and the Creek nation, by the undersigned kings, chiefs, and warriors, representing the said nation, have agreed to the following articles:

Perpetual
peace and
friendship.

Art. 1. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals, towns, and tribes, of the Upper, Middle, and Lower Creeks and Seminoles, composing the Creek nation of Indians.

The Creeks
under the pro-
tection of the
United States.

Art. 2. The undersigned kings, chiefs, and warriors, for themselves and all parts of the Creek nation within the limits of the United States, do acknowledge themselves, and the said parts of the Creek nation, to be under the protection of the United States of America, and of no other sovereign whosoever; and they also stipulate that the said Creek nation will not hold any treaty with an individual state, or with individuals of any state.

The Creeks
not to treat
with any state:

Prisoners to
be delivered
up by the
Creeks.

Art. 3. The Creek nation shall deliver, as soon as practicable, to the commanding officer of the troops of the United States, stationed at the Rock Landing on the Oconee river, all citizens of the United States, white inhabitants, or negroes, who are now prisoners in any part of the said nation. And if any such prisoners or negroes, should not be so delivered, on or before the first day of June ensuing, the governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners and negroes.

Boundary be-
tween the
United States
and the
Creeks.

Art. 4. The boundary between the citizens of the United States and the Creek nation, is, and shall be, from where the old line strikes the river Savannah; thence up the said river to a place on the most northern branch of the same, commonly called the Keowee, where a northeast line to be drawn from the top of the Occunna mountain shall intersect; thence along the said line in a southwest direction to Tugelo river; thence to the

top of the Currahee mountain ; thence to the head or source of the main south branch of the Oconee river, called the Appalachee ; thence down the middle of the said main south branch and river Oconee, to its confluence with the Oakmulgee, which form the river Altamaha; and thence down the middle of the said Altamaha, to the old line on the said river; and thence along the said old line to the river St. Mary's.

And in order to preclude forever all disputes relatively to the head or source of the main south branch of the river Oconee, at the place where it shall be intersected by the line aforesaid, from the Currahee mountain, the same shall be ascertained by an able surveyor on the part of the United States, who shall be assisted by three old citizens of Georgia, who may be appointed by the governor of the said state, and three old Creek chiefs, to be appointed by the said nation ; and the said surveyor, citizens, and chiefs, shall assemble for this purpose, on the first day of October, one thousand seven hundred and ninety-one, at the Rock Landing on the said river Oconee, and thence proceed to ascertain the said head or source of the main south branch of the said river, at the place where it shall be intersected by the line aforesaid, to be drawn from the Currahee mountain.

The source of the main south branch of the Oconee to be ascertained by actual survey.

And in order that the said boundary shall be rendered distinct and well known, it shall be marked by a line of felled trees at least twenty feet wide, and the trees chopped on each side from the said Currahee mountain, to the head or source of the said main south branch of the Oconee river, and thence down the margin of the said main south branch and river Oconee, for the distance of twenty miles, or as much farther as may be necessary to mark distinctly the said boundary.

The survey to commence 1st of October, 1791, at the Rock Landing.

And in order to extinguish forever all claims of the Creek nation; or any part thereof, to any of the land lying to the northward and eastward of the boundary herein described, it is hereby agreed, in addition to the considerations heretofore made for the said land, that the United States will cause certain valuable Indian goods, now in the state of Georgia, to be delivered to the said Creek nation ; and the said United States will also cause the sum of one thousand and five hundred dollars to be paid annully to the said Creek nation. And the undersigned kings, chiefs, and warriors, do hereby, for themselves and the whole Creek nation, their heirs, and descendants, for the considerations abovementioned, release, quit claim, relinquish, and cede, all the land to the northward and eastward of the boundary herein described.

Boundary to be marked by felled trees.

Art. 5. The United States solemnly guaranty to the Creek nation, all their lands within the limits of the United States, to the westward and southward of the boundary described by the preceding article.

The United States to deliver goods to the Creeks, and pay them annually \$1,500.

Quit claim of the Creeks.

Art. 6. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the Creeks' lands, Citizens settling on lands

Guarantee of lands to the Creeks.

of the Creeks, lands, such person shall forfeit the protection of the United States ; and the Creeks may punish him or not, as they please.

Citizens not to hunt on lands of the Creeks.

Art. 7. No citizen or inhabitant of the United States shall attempt to hunt or destroy the game on the Creek lands : nor shall any such citizen or inhabitant go into the Creek country, without a passport first obtained from the governor of some one of the United States, or the officer of the troops of the United States, commanding at the nearest military post on the frontiers, or such other person as the president of the United States may, from time to time, authorize to grant the same.

Passports to go into the country of the Creeks.

The Creeks to deliver up robbers, murderers, &c. for punishment.

Art. 8. If any Creek Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any of the citizens or inhabitants of the United States, the Creek nation, or town, or tribe to which such offender or offenders may belong, shall be bound to deliver him or them up, to be punished according to the laws of the United States.

Citizens committing offences in Creek towns, punishable in like manner as if committed against a white inhabitant in the United States.

Art. 9. If any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement, or territory, belonging to the Creek nation of Indians, and shall there commit any crime upon, or trespass against the person or property of any peaceable and friendly Indian or Indians, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

Retaliation for private injuries, restrained.

Art. 10. In cases of violence on the persons or property of the individuals of either party, neither retaliation nor reprisal shall be committed by the other, until satisfaction shall have been demanded of the party of which the aggressor is, and shall have been refused.

The Creeks to give notice of hostile designs.

Art. 11. The Creeks shall give notice to the citizens of the United States of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whatever, against the peace and interests of the United States.

The Creeks to be furnished with domestic animals.

Art. 12. That the Creek nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will, from time to time, furnish gratuitously the said nation with useful domestic animals and implements of husbandry. And further, to assist the said nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such, and so many, persons to reside in

The United States to send

said nation, as they may judge proper, and not exceeding four ^{interpreters} in number, who shall qualify themselves to act as interpreters. ^{to reside in the Creek nation.} These persons shall have lands assigned them by the Creeks for cultivation, for themselves and their successors in office ; but they shall be precluded exercising any kind of traffic.

Art. 13. All animosities for past grievances shall henceforth ^{All animosities to cease.} cease ; and the contracting parties will carry the foregoing treaty into full execution, with all good faith and sincerity.

Art. 14. This treaty shall take effect and be obligatory on ^{This treaty to take effect as soon as ratified.} the contracting parties, as soon as the same shall have been ratified by the president of the United States, with the advice and consent of the senate of the United States.

In witness of all and every thing herein determined, between the United States of America, and the whole Creek nation, the parties have hereunto set their hands and seals, in the city of New-York, within the United States, this seventh day of August, one thousand seven hundred and ninety.

In behalf of the United States:

H. Knox, *secretary of war, and sole commissioner for treating with the Creek nation of Indians,* l. s.

In behalf of themselves and the whole Creek nation of Indians:

Alexander McGillivray, l. s.

CUSETANS.

Fuskatche Mico, or Birdtail King, his x mark, l. s.
Neathlock, or Second Man, his x mark, l. s.
Halletemakhle, or Blue Giver, his x mark, l. s.

LITTLE TALLISEE.

Opay Mico, or the Singer, his x mark, l. s.
Tokesahjou, or Samouiac, his x mark, l. s. *Sam Mowiac*

BIG TALLISEE.

Hopothé Micu, or Tallisee King, his x mark, l. s.
Opototache, or Long Side, his x mark, l. s.

TUCKABATCHY.

Soholessee, or Young Second Man, his x mark, l. s.
Ocheehajou, or Aleck Cornel, his x mark, l. s.

NATCHEZ.

Chinabie, or the Great Natchez Warrior, his x mark, l. s.
Natowachee, or the Great Natchez Warrior's brother, his x mark, l. s.
Thakoteehee, or the Mole, his x mark, l. s.
Oquakabee, his x mark, l. s.

COWETAS.

Tuskenash, or Big Lieutenant, his x mark, l. s.
Homatah, or Leader, his x mark, l. s.
Chinnabie, or Matthews, his x mark, l. s.
Juletsuulcmatha, or Dry Pine, his x mark, l. s.

OF THE BROKEN ARROW.

Chawookly Mico, his x mark, L s.

COOSADES.

Coosades Hopoy, or the Measurer, his x mark, L s.
 Muthtee, the Misser, his x mark, L s.
 Stimafutchkee, or Good Humor, his x mark, L s.

ALABAMA CHIEF.

Stimaleeje, or Disputer, his x mark, L s.

OAKSOYS.

Mumagechee, David Francis, his x mark, L s.

Done in the presence of

Richard Morris, *chief justice of the state of New York,*
 Richard Varick, *mayor of the city of New York,*
 Marinus Willet,
 Thomas Lee Shippen, *of Pennsylvania,*
 John Rutledge, *jnr.*
 Joseph Allen Smith,
 Henry Izard,
 Joseph Cornell, *interpreter, his x mark.*

JOHN ADAMS, PRESIDENT OF THE UNITED STATES OF AMERICA,

To all to whom these presents shall come; greeting:

Whereas a treaty of peace and friendship was made and concluded on, at Colerain, in the state of Georgia, the twenty-ninth day of June, one thousand seven hundred and ninety-six, between the president of the United States of America, on the one part, and behalf of the said states; and the kings, chiefs, and warriors of the Creek nation of Indians, on the part of the said nation; which treaty is in the words following, to wit:

Treaty with
the Creeks.

No. 2. A treaty of peace and friendship, made and concluded between the president of the United States of America, on the one part, and behalf of the said states, and the undersigned kings, chiefs, and warriors, of the Creek nation of Indians, on the part of the said nation.

Mutual desire
of establishing
peace and
friendship.

The parties being desirous of establishing permanent peace and friendship between the United States and the said Creek nation, and the citizens and members thereof; and to remove the causes of war, by ascertaining their limits, and making other necessary, just, and friendly arrangements; the president of the United States, by Benjamin Hawkins, George Clymer, and Andrew Pickens, commissioners whom he hath constituted with powers for these purposes, by and with the advice and consent of the senate; and the Creek nation of Indians, by the undersigned kings, chiefs, and warriors, representing the whole Creek nation, have agreed to the following articles:

Art. 1. The treaty entered into at New York, between the parties, on the 7th day of August, 1790,* is, and shall remain obligatory on the contracting parties, according to the terms of it, except as herein provided for. The treaty of New York binding; except, &c.

Art. 2. The boundary line from the Currahee mountain to the head or source of the main south branch of the Oconee river, called by the white people Appalatchee, and by the Indians Tulapocka, and down the middle of the same, shall be clearly ascertained and marked, at such time, and in such manner, as the president shall direct. And the Indians will, on being informed of the determination of the president, send as many of their old chiefs as he may require, to see the line ascertained and marked. A certain portion of the boundary line to be clearly ascertained. See ante, No. 1, art. 4, of this chapter.

Art. 3. The president of the United States of America shall have full powers, whenever he may deem it advisable, to establish a trading or military post on the south side of the Alatomaha, on the bluff, about one mile above Beard's Bluff; or any where, from thence down the said river on the lands of the Indians, to garrison the same with any part of the military force of the United States, to protect the post, and to prevent the violation of any of the provisions or regulations subsisting between the parties: and the Indians do hereby annex to the post aforesaid, a tract of land of five miles square, bordering one side on the river; which post and the lands annexed thereto, are hereby ceded to, and shall be to the use, and under the government, of the United States of America.† The president may establish a trading or military post, on the south side of Alatomaha. Five miles square annexed to the post.

Art. 4. As soon as the president of the United States has determined on the time and manner of running the line from the Currahee mountain, to the head or source of the main south branch of the Oconee, and notified the chiefs of the Creek land of the same, a suitable number of persons on their part shall attend to see the same completed: and if the president should deem it proper, then to fix on any place or places adjoining the river, and on the Indian lands, for military or trading posts, the Creeks who attend there will concur in fixing the same, according to the wishes of the president. And to each post the Indians shall annex a tract of land of five miles square, bordering one side on the river. And the said lands shall be to the use and under the government of the United States of America: provided always, that whenever any of the trading or military posts mentioned in this treaty, shall, in the opinion of the president of the United States of America, be no longer necessary for the purposes intended by this cession, the same shall revert to, and become a part of the Indian lands. Creek commissioners to see the line completed from the Currahee. Military posts, &c. to be established by concurrence. Five miles square to each post. Provide; as to the reversion of lands for military posts.

Art. 5. Whenever the president of the United States of America, and the king of Spain, may deem it advisable to The Creeks to be notified

* See ante, No. 1, of this chapter.

† See, in relation to the effect of this and following articles, a proviso and condition in the ratification of this treaty, immediately following it.

and attend the marking the boundary line between the American and Spanish territories.

The Creeks relinquish claims to territory ceded by the Choctaws and others.

The Creeks to restore prisoners, negroes, &c.

(*ante*, No. 1, art. 3, of this chapter.)

The U. S. give to the Creeks goods to the value of \$6,000, &c.

Animosities to cease.

Proviso; excluding persons under arrest.

mark the boundaries which separate their territories,* the president shall give notice thereof to the Creek chiefs, who will furnish two principal chiefs and twenty hunters to accompany the persons employed on this business, as hunters and guides, from the Choctaw country to the head of St. Mary's. The chiefs shall receive each half a dollar per day, and the hunters one quarter of a dollar each per day, and ammunition, and a reasonable value for the meat delivered by them for the use of the persons on this service.

Art. 6. The treaties of Hopewell,† between the United States and the Choctaws and Chickasaws, and at Holston,‡ between the Cherokees and the United States, mark the boundaries of those tribes of Indians. And the Creek nation do hereby relinquish all claims to any part of the territory inhabited or claimed by the citizens of the United States, in conformity with the said treaties.

Art. 7. The Creek nation shall deliver, as soon as practicable, to the superintendent of Indian affairs, at such place as he may direct, all citizens of the United States, white inhabitants, and negroes, who are now prisoners in any part of the said nation, agreeable to the treaty at New York,§ and also all citizens, white inhabitants, negroes and property taken since the signing of that treaty. And if any such prisoners, negroes, or property, should not be delivered, on or before the first day of January next, the governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners, negroes, and property; under the direction of the president of the United States.

Art. 8. In consideration of the friendly disposition of the Creek nation towards the government of the United States, evidenced by the stipulations in the present treaty, and particularly the leaving it in the discretion of the president to establish trading or military posts on their lands, the commissioners of the United States, on behalf of the said states, give to the said nation goods to the value of six thousand dollars, and stipulate to send to the Indian nation, two blacksmiths, with strikers, to be employed for the upper and lower Creeks, with the necessary tools.

Art. 9. All animosities for past grievances shall henceforth cease, and the contracting parties will carry the foregoing treaty into full execution with all good faith and sincerity: provided nevertheless, that persons now under arrest, in the state of Georgia, for a violation of the treaty at New York, are not to be included in this amnesty, but are to abide the decision of law.

* These boundaries were designated under the treaty of San Lorenzo el Real, of the 27th of October, 1793. See 1 vol. Laws U. S. page 264.

† See *ante*, chap. 5, No. 1, art. 3; and chap. 6, No. 1, art. 3.

‡ See *ante*, chap. 4, No. 2, art. 4.

Art. 10. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, by and with the advice and consent of the senate. This treaty to take effect as soon as ratified.

Done at Colerain, the 29th of June, one thousand seven hundred and ninety-six.

Benjamin Hawkins	l. s.
George Clymer,	l. s.
Andrew Pickens,	l. s.

COWETAS.

Chruchateneah, his x mark,	l. s.
Tusikia Mico, his x mark,	l. s.
Incienis Mico, his x mark,	l. s.
Tuskenah, his x mark,	l. s.
Ookfuskee Tustuneka, his x mark,	l. s.
Clewalee Tustuneka, his x mark,	l. s.

CUSSETAS.

Tusikia Mico, his x mark,	l. s.
Cusseta Mico, his x mark,	l. s.
Fusatchee Mico, his x mark,	l. s.
Opocoy Mico, his x mark.	l. s.

BROKEN ARROWS.

Tustuneka Mico, his x mark,	l. s.
Othley Opocoy, his x mark,	l. s.
Opocoy Tustuneka, his x mark,	l. s.
Oboethly Tustuneka, his x mark,	l. s.

EUCHEES.

Euchee Mico, his x mark,	l. s.
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USUCHEES.

Osaw Enchah, his x mark,	l. s.
Ephah Tuskenah, his x mark,	l. s.
Tusikia Mico, his x mark,	l. s.

CHEHAWS.

Chehaw Mico, his x mark,	l. s.
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TALEHANAS.

Othley Poey Mico, his x mark,	l. s.
Othley Poey Tustimiha, his x mark,	l. s.

OAKMULGEES.

Opocoy Thlocco, his x mark,	l. s.
Parachuckley, his x mark,	l. s.
Tuskenah, his x mark,	l. s.

EUPHALES.

Pahose Mico, his x mark,	l. s.
Tustunika Chopco, his x mark,	l. s.

OTTASSEES.

Fusatchee Hulloco Mico, his x mark,	l. s.
Tusibia Mico, his x mark,	l. s.
Mico Opocoy, his x mark,	l. s.

TALLESSEES.

Tallessee Mico, his x mark,	1 s.
Othley Poey Mico, his x mark,	1 s.

LITTLE OAKJOYS.

Mecke Matla, his x mark,	1 s.
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HICORY GROUND.

Opoev Mico, his x mark,	1 s.
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KUYALEGEES.

Kelese Hatkie, his x mark,	1 s.
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WEAKIS.

Nenehomotca Opoev, his x mark,	1 s.
Tuskia Mico, his x mark,	1 s.

CLEEWALLEES.

Opoev-e-Matla, his x mark,	1 s.
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COOSIS.

Hosonupe Hodjo, his x mark,	1 s.
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TUCKABATHEES.

Holahto Mico, his x mark,	1 s.
Tustunika Thlocco, his x mark,	1 s.

OAKFUSKEES.

Pashphalaha, his x mark,	1 s.
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ABACOUCHES.

Spani Hodjo, his x mark,	1 s.
Tustonika, his x mark,	1 s.

UPPER EUPHAULES.

Opoev, his x mark,	1 s.
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NATCHEES.

Chinibe, his x mark,	1 s.
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UPPER CHEEHAWS.

Spokoi Hodjo, his x mark,	1 s.
Tustunika, his x mark,	1 s.

MACKASOOKOS.

Tuskeehenehaw, his x mark,	1 s.
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OCONEES.

Knapematha Thlocco, his x mark,	1 s.
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CUSETANS.

Cusa Mico, his x mark,	1 s.
Tusekia Mico Athee, his x mark,	1 s.
Halartee Matla, his x mark,	1 s.
Talaboua Mico, his x mark,	1 s.
Neathlocto, his x mark,	1 s.
Nuckfamico, his x mark,	1 s.
Estechaco Mico, his x mark,	1 s.

Tuskegee Tuskinagee, his x mark,	1 s.
Gochus Mico, his x mark,	1 s.
Opio Hajo, his x mark,	1 s.
Oneas Tustenagee, his x mark,	1 s.
Alak Ajo, his x mark,	1 s.
Stilpeck Chatee, his x mark,	1 s.
Tuchesse Mico, his x mark,	1 s.

KEALEEGERS.

Checa Hajo, his x mark,	1 s.
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HITCHETAWS.

Talmasce Matla, his x mark,	1 s.
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TUCKABATCHEES.

Tustincke Hajo, his x mark,	1 s.
Okolissa, his x mark,	1 s.
Coweta Matla, his x mark,	1 s.
Coosa Mico, his x mark,	1 s.
Fusatchee Mico, his x mark,	1 s.
Pio Hatkee, his x mark,	1 s.
Foosatchee Mico, his x mark,	1 s.
Neathlaco, his x mark,	1 s.
Tuchabatchee Howla, his x mark,	1 s.
Spoko Hajo, his x mark,	1 s.

KIALEEGERS.

Chuckchack Nincha, his x mark,	1 s.
Opoyo Matla, his x mark,	1 s.
Lachlee Matla, his x mark,	1 s.

BIG TALLASEES.

Chowostia Hajo, his x mark,	1 s.
Neathloco Opyo, his x mark,	1 s.
Neathloco, his x mark,	1 s.
Chowlactley Mico, his x mark,	1 s.
Tocoso Hajo, his x mark,	1 s.
Hoochee Matla, his x mark,	1 s.
Howlacta, his x mark,	1 s.
Tustinica Mico, his x mark,	1 s.
Opyo Fraico, his x mark,	1 s.

BIG TALASSEN.

Houlacta, his x mark,	1 s.
Etcatee Hajo, his x mark,	1 s.
Chosolop Hajo, his x mark,	1 s.
Coosa Hajo, his x mark,	1 s.

TUCHABATCHEES.

Chohajo, his x mark,	1 s.
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COOSIS.

Tuskegee Tustinagee, his x mark,	1 s.
Talmasa Watalica, his x mark,	1 s.

EUPHALES.

Totkes Hago, his x mark,	1 s.
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OTASEES.

Opio Tustinagee, his x mark,	1 s.
Yafkee Mall Hajo, his x mark,	1 s.

Oboyethlee Tustinagee, his x mark,	1 s.
Tustinagee Hajo, his x mark,	1 s.
Hillibee Tustinagee Hajo, his x mark,	1 s.
Effa Tuskeena, his x mark,	1 s.
Emathlee Loco, his x mark,	1 s.
Tustanagee Mico, his x mark,	1 s.
Yaha Tustinagee, his x mark,	1 s.
Cunctastee Tustanagee, his x mark,	1 s.

OTTASEES.

Goosa Tustinagee, his x mark,	1 s.
Neamatle Matla, his x mark,	1 s.

WEEOKES.

Tusticnika Hajo, his x mark,	1 s.
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TUCHABATHEES.

Neamatoochee, his x mark,	1 s.
---------------------------	------

CUSSITAS.

Talewa Othleopoya, his x mark,	1 s.
Talmasse Matla, his x mark,	1 s.
Niah Weathla, his x mark,	1 s.
Emathlee-laco, his x mark,	1 s.
Otteece Matla, his x mark,	1 s.
Muclossee Matla, his x mark,	1 s.
Eufallee Matla, his x mark,	1 s.

TUCKABATCHEES.

Cunipee Howla, his x mark,	1 s.
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COWETAS.

Hospotak Tustinagee, his x mark,	1 s.
----------------------------------	------

NATCHEZ.

Spoko Hodjo, his x mark,	1 s.
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UCHEES.

Tustinagee Chatee, his x mark,	1 s.
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USUCHEES.

Spokoca Tustinagee, his x mark,	1 s.
Othley-poey-Tustinagee, his x mark,	1 s.
Tuskeeneah, his x mark,	1 s.

Witness:

J. Seagrove, *superintendent Indian affairs, C. N.*
 Henry Gaither, *lieutenant colonel commandant,*
 Const. Freeman, *A. W. D. major artillery and engineers,*
 Samuel Tinsley, *capt. 3d sub-legion,*
 Samuel Allison, *ensign 2d sub-legion,*
 John W. Thompson, *ensign 1st U. S. s. legion,*
 Geo. Gillaspay, *surgeon L. U. S.*
 Tim. Barnard, *D. A. and sworn interpreter,*
 James Burges, *D. A. and sworn interpreter,*
 James Jordan,
 Richard Thomas,
 Alexander Cornels,
 William Eaton, *capt. 4th U. S. sub-legion, comdt. at Colerain, and secretary to the commission.*

And whereas the senate of the United States, two-thirds of the senators present concurring, did, by their resolution of the second day of March instant, "consent to, and advise the president of the United States to ratify the treaty of peace and friendship, made and concluded at Colerain, in the state of Georgia, on the 29th June, 1796, between the president of the United States of America, on the part and behalf of the said states, and the kings, chiefs, and warriors, of the Creek nation of Indians, on the part of the said nation: provided, and on condition, that nothing in the third and fourth articles of the said treaty, expressed in the words following: 'ART. 3. The president of the United States of America shall have full powers, whenever he may deem it advisable, to establish a trading or military post on the south side of the Altamaha, on the bluff about one mile above Beard's Bluff; or any where from thence down the said river, on the lands of the Indians, to garrison the same with any part of the military force of the United States, to protect the post, and to prevent the violation of any of the provisions or regulations subsisting between the parties: and the Indians do hereby annex to the post aforesaid, a tract of land of five miles square, bordering one side on the river, which post and the lands annexed thereto, are hereby ceded to, and shall be to the use, and under the government, of the United States of America.' 'ART. 4. As soon as the president of the United States has determined on the time and manner of running the line from the Currahee mountain, to the head or source of the main south branch of the Oconee, and notified the chiefs of the Creek land of the same, a suitable number of persons on their part shall attend, to see the same completed: and if the president should deem it proper, then to fix on any place or places adjoining the river, and on the Indian lands for military or trading posts; the Creeks who attend there, will concur in fixing the same, according to the wishes of the president. And to each post, the Indians shall annex a tract of land of five miles square, bordering one side on the river. And the said lands shall be to the use and under the government of the United States of America: provided always, that whenever any of the trading or military posts mentioned in this treaty, shall, in the opinion of the president of the United States of America, be no longer necessary for the purposes intended by this cession, the same shall revert to, and become a part of the Indian lands:' shall be construed to effect any claim of the state of Georgia, to the right of pre-emption in the land therein set apart for military or trading posts; or to give to the United States without the consent of the said state, any right to the soil or to the exclusive legislation over the same; or any other right than that of establishing, maintaining, and exclusively governing military and trading posts within the Indian territory mentioned in the said articles,

The senate consent to, and advise the ratification of the treaty, on condition that nothing contained in the 3d and 4th articles, (the next preceding treaty,) shall affect the claim of the state of Georgia to the right of pre-emption in the land therein set apart for military and trading posts, &c.

as long as the frontier of Georgia may require these establishments."

Ratification
by the presi-
dent, with the
proviso and
condition an-
nexed by the
senate.

Now know ye, that I, having seen and considered the said treaty, do hereby accept, ratify, and confirm the same, and every article and clause thereof; under and subject to the proviso and condition mentioned and contained in the aforesaid resolution of the senate of the United States.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand.

Given at the city of Philadelphia, the eighteenth day of March, in the year of our Lord one thousand seven hundred and ninety-seven, and in the twenty-first year of the sovereignty and independence of the United States of America.

JOHN ADAMS.

By the president of the United States:

TIMOTHY PICKERING, *secretary of state.*

Treaty with
the Creeks.

No. 3. A treaty of limits, between the United States of America and the Creek nation of Indians.

Thomas Jefferson, president of the United States of America, by James Wilkinson, of the state of Maryland, brigadier general in the army of the United States, Benjamin Hawkins, of North Carolina, and Andrew Pickens, of South Carolina, commissioners plenipotentiary of the United States, on the one part, and the kings, chiefs, head men, and warriors, of the Creek nation, in council assembled, on the other part, have entered into the following articles and conditions, viz:

Cession of
land by the
Creeks.

Art. 1. The kings, chiefs, head men, and warriors, of the Creek nation, in behalf of the said nation, do, by these presents, cede to the United States of America all that tract and tracts of land, situate, lying, and being, within and between the following bounds, and the lines and limits of the extinguished claims of the said nation, heretofore ascertained and established by treaty. That is to say; beginning at the upper extremity of the high shoals of the Appalachee river, the same being a branch of the Oconee river, and on the southern bank of the same; running thence a direct course to a noted ford of the south branch of Little river, called by the Indians Chattoch-cohatchee; thence a direct line to the main branch of Commissioners' creek, where the same is intersected by the path leading from the Rock Landing to the Ocmulgee Old Towns; thence a direct line to Palmetto creek, where the same is intersected by the Uchee path, leading from the Oconee to the Ocmulgee

Boundary of
the land ced-
ed.

river; thence down the middle waters of the said creek to Oconee river, and with the western bank of the same to its junction with the Ocmulgee river; thence across the Ocmulgee river to the south bank of the Altamaha river, and down the same, at low water mark, to the lower bank of Goose creek; and from thence by a direct line to the mounts, on the margin of the Okefinocau swamp, raised and established by the commissioners of the United States and Spain at the head of the St. Mary's river; thence down the middle waters of the said river, to the point where the old line of demarcation strikes the same, thence with the said old line to the Altamaha river, and up the same to Goose creek: and the said kings, chiefs, head men, and warriors, do relinquish and quit claim to the United States, all their right, title, interest, and pretensions, in and to the tract, and tracts of land within and between the bounds and limits aforesaid, forever.

The Creeks
quit claim.

Art. 2. The commissioners of the United States, for and in consideration of the foregoing concession on the part of the Creek nation, and in full satisfaction for the same, do hereby covenant and agree with the said nation, in behalf of the United States, that the said states shall pay to the said nation, annually, and every year, the sum of three thousand dollars, and one thousand dollars for the term of ten years, to the chiefs who administer the government, agreeably to a certificate under the hands and seals of the commissioners of the United States, of this date, and also, twenty-five thousand dollars in the manner and form following, viz. Ten thousand dollars in goods and merchandise, the receipt of which is hereby acknowledged; ten thousand dollars to satisfy certain debts due from Indians and white persons of the Creek country to the factory of the United States; the said debts, after the payment aforesaid, to become the right and property of the Creek nation, and to be recovered for their use, in such way and manner as the president of the United States may think proper to direct; five thousand dollars to satisfy claims for property taken by individuals of the said nation, from the citizens of the United States, subsequent to the treaty of Colerain, which has been or may be claimed and established agreeably to the provisions of the act* for regulating trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. And it is further agreed, that the United States shall furnish to the said nation two sets of blacksmith's tools, and men to work them, for the term of three years.

The United
States pay to
the Creeks,
annually,
\$3,000;
\$1,000 for
the term of
ten years; and
\$25,000 in
the manner
described.

Blacksmith's
tools, &c.

Art. 3. It is agreed by the contracting parties, that the gar-risons or garrisons which may be found necessary for the protection of the frontiers, shall be established upon the land of the

Garrisons to
be established
on Indian
lands, &c.

* See this act—part of chapter sec. 14.

(* See ante,
No. 2, art. 4,
of this chap.)

This treaty to
be obligatory
as soon as ra-
tified.

Indians, at such place or places as the president of the United States may think proper to direct, in the manner and on the terms established by the treaty of Colerain.*

Art. 4. The contracting parties to these presents do agree, that this treaty shall become obligatory and of full effect, so soon as the same shall be ratified by the president of the United States of America, by and with the advice and consent of the senate thereof.

In testimony whereof, the commissioners plenipotentiary of the United States, and the kings, chiefs, head men, and warriors, of the Creek nation, have hereunto subscribed their names and affixed their seals, at the camp of the commissioners of the United States, near fort Wilkinson, on the Oconee river, this sixteenth day of June, in the year of our Lord one thousand eight hundred and two, and of the independence of the United States the twenty-sixth.

James Wilkinson,	L. s.
Benjamin Hawkins,	L. s.
Andrew Pickens,	L. s.
Efau Haujo, his x mark,	
1 Tustunnuggee Thlucco, his x mark,	
2 Hopoie Micco, his x mark,	
3 Hopoie Olohtau, his x mark,	
Tallessee Micco, his x mark,	
Tussekia Micco, his x mark,	
Micco, Thlucco, his x mark,	
Tuskenehau Chapco, his x mark,	
Chouwacke le Micco, his x mark,	
Toosce hatche Micco, his x mark,	
Hopoie Yauhoh, his x mark,	
Hoithlewau le Micco, his x mark,	
Efau Haujo, of Cooloom, his x mark,	
Cussetuh Yauhoh, his x mark,	
Wewocau Tustunnuggee, his x mark,	
Nehomahte Tustunnuggee, his x mark,	
Tustunu Haujo, his x mark,	
Hopoie Tustunnuggee, his x mark,	
Talchischau Micco, his x mark,	
Yaufkee Emautla Haujo, his x mark,	
Coosaudee Tustunnuggee, his x mark,	
Nenehomohtau Tustunnuggee Micco, his x mark,	
Isfaunau Tustunnuggee, his x mark,	
Eufaulau Tustunnuggee, his x mark,	
Tustunnuc Hoithlepoyuh, his x mark,	
Ishopei Tustunnuggee, his x mark,	
Cowetuh Tustunnuggee, his x mark,	
Hopothle Haujo, his x mark,	
Wocsee Haujo, his x mark,	
Uctijutchee Tustunnuggee, his x mark,	
Okelesau Hutkee, his x mark,	
Pahose Micco, his x mark,	
Micke Emautla, his x mark,	
Hoithlepoyau Haujo, his x mark,	
Cussetuh Haujo, his x mark,	
Ochese Tustunnuggee, his x mark,	
Tooschatchee Haujo, his x mark,	
Isfaune Haujo, his x mark,	

Hopoithle Hopoie, his x mark,
 Olohtuh Emautlau, his x mark.

Timothy Barnard,
 Alexander Cornellá, his x mark, } *interpreters,*
 Joseph Islands, his x mark,
 Alexander Macomb, junr. *secretary to the commission,*
 William R. Boote, *captain 2d regiment infantry,*
 T. Blackburn, *lieut. com. comp. G.*
 John B. Barnes, *lieut. United States' A.*
 Wm. Hill, *Asst. C. D.*
 Olohtau Haujo, his x mark,
 Talmas Haujo, his x mark,
 Auttossee Emautlaw, his x mark.

No. 4. A convention between the United States and the Creek nation of Indians, Treaty with concluded at the city of Washington, on the fourteenth day of November, the Creeks. in the year of our Lord one thousand eight hundred and five.

Articles of a convention made between Henry Dearborn, secretary of war, being specially authorized therefor by the president of the United States, and Oche Haujo, William McIntosh, Tuskenehau Chapco, Tuskenehau, Enehau Thlucco, Chekopeheke Emanthau, chiefs and head men of the Creek nation of Indians, duly authorized and empowered by said nation.

Art. 1. The aforesaid chiefs and head men do hereby agree, in consideration of certain sums of money and goods to be paid to the said Creek nation, by the government of the United States, as hereafter stipulated, to cede and forever quit claim, and do, in behalf of their nation, hereby cede, relinquish, and forever quit claim unto the United States, all right, title, and interest, which the said nation have or claim, in or unto a certain tract of land, situate between the rivers Oconee and Ocmulgee, (except as herein after excepted,) and bounded as follows, viz.

Beginning at the high shoals of Apalacha, where the line of the treaty of fort Wilkinson* touches the same, thence running in a straight line to the mouth of Ulocofauhatche, it being the first large branch or fork of the Ocmulgee, above the Seven Islands: provided however, that if the said line should strike the Ulocofauhatche, at any place above its mouth, that it shall continue round with that stream so as to leave the whole of it on the Indian side; then the boundary to continue from the mouth of the Ulocofauhatche, by the water's edge of the Ocmulgee river, down to its junction with the Oconee; thence up the Oconee to the present boundary at Tauloohatchee creek; thence up said creek, and following the present boundary line, to the first mentioned bounds, at the high shoals of Apalacha; excepting and reserving to the Creek nation, the title and possession of a tract of land, five miles in length and three in breadth, and

Cession by the Creeks of a tract of land between Oconee and Ocmulgee.

Boundary of the tract ceded.

(* Ante, No. 3, art. 1, of this chapter.)

Provido; as to the Ulocofauhatche.

Reservation to the Creeks:

Boundary of
the reserva-
tion to the
Creeks.

bounded as follows, viz. Beginning on the eastern shore of the Ocmulgee river, at a point three miles on a straight line above the mouth of a creek called Oakchonecogau, which empties into the Ocmulgee, near the lower part of what is called the old Ocmulgee fields: thence running three miles eastwardly, on a course at right angles with the general course of the river, for five miles below the point of beginning; thence from the end of the three miles, to run five miles parallel with the said course of the river; thence westwardly, at right angles with the last mentioned line, to the river; thence by the river to the first mentioned bounds.

The U.S. may
establish a mi-
litary post, on
the tract re-
served to the
Creeks.

And it is hereby agreed, that the president of the United States, for the time being, shall have a right to establish and continue a military post, and a factory or trading house, on said reserved tract; and to make such other use of the said tract as may be found convenient for the United States, as long as the government thereof shall think proper to continue the said military post or trading house. And it is also agreed, on the part of the Creek nation, that the navigation and fishery of the Ocmulgee, from its junction with the Oconee to the mouth of the Ucofauhatche, shall be free to the white people; provided they use no traps for taking fish; but nets and seines may be used; which shall be drawn to the eastern shore only.

Navigation
and fishery of
Ocmulgee,
&c.

Horse path
from the Oc-
mulgee to the
Mobile.

Art. 2. It is hereby stipulated and agreed, on the part of the Creek nation, that the government of the United States shall forever hereafter have a right to a horse path, through the Creek country, from the Ocmulgee to the Mobile, in such direction as shall, by the president of the United States, be considered most convenient, and to clear out the same, and lay logs over the creeks: and the citizens of said states shall, at all times, have a right to pass peaceably on said path, under such regulations and restrictions, as the government of the United States shall, from time to time, direct; and the Creek chiefs will have boats kept at the several rivers for the conveyance of men and horses, and houses of entertainment established as suitable places on said path for the accommodation of travellers; and the respective ferriages and prices of entertainment for men and horses, shall be regulated by the present agent, col. Hawkins, or by his successor in office, or as is usual among white people.

Citizens to
pass peacea-
bly.

Boats at the
rivers.
Houses of en-
tertainment.
Ferriages,
prices, &c.

(* Of this
treaty.)

The United
States to pay
annually, for
eight years, to
the Creeks,

Art. 3. It is hereby stipulated and agreed, on the part of the United States, as a full consideration for the land ceded by the Creek nation in the first article,* as well as by permission granted for a horse path through their country, and the occupancy of the reserved tract, at the old Ocmulgee fields, that there shall be paid annually to the Creek nation, by the United States, for the term of eight years, twelve thousand dollars in money or goods, and implements of husbandry, at the option of the Creek nation, seasonably signified from time to time,

through the agent of the United States, residing with said nation, to the department of war; and eleven thousand dollars shall be paid in like manner, annually, for the term of the ten succeeding years making, in the whole, eighteen payments in the course of eighteen years, without interest. The first payment is to be made as soon as practicable after the ratification of this convention by the government of the United States; and each payment shall be made at the reserved tract, on the old Ocmulgee fields.

Art. 4. And it is hereby further agreed, on the part of the United States, that in lieu of all former stipulations relating to blacksmiths,† they will furnish the Creek nation, for eight years, with two blacksmiths and two strikers.*

Art. 5. The president of the United States may cause the line to be run from the high shoals of Apalacha, to the mouth of Ulcofauhatche, at such time, and in such manner, as he may deem proper, and this convention shall be obligatory on the contracting parties as soon as the same shall have been ratified by the government of the United States.

Done at the place, and on the day and year above written.

H. Dearborn,	l. s.
Oche Haujo, his x mark,	l. s.
William McIntosh, his x mark,	l. s.
Tuskenehau Chapco, his x mark,	l. s.
Tuskenehau, his x mark,	l. s.
Enehau Thlucco, his x mark,	l. s.
Chekopeheke Emanthau, his x mark,	l. s.

Signed and sealed in presence of

James Madison,
Rt. Smith,
Benjamin Hawkins,
Timothy Barnard,
Jno. Smith,
Andrew M'Clary.

The foregoing articles have been faithfully interpreted.

TIMOTHY BARNARD, *interpreter.*

No. 5. Articles of agreement and capitulation, made and concluded this ninth day of August, one thousand eight hundred and fourteen, between major general Andrew Jackson, on behalf of the president of the United States of America, and the chiefs, deputies, and warriors, of the Creek nation.

Whereas an unprovoked, inhuman, and sanguinary war, waged by the hostile Creeks against the United States, hath been repelled, prosecuted, and determined, successfully on the part of the said states, in conformity with principles of national justice and honorable warfare: and whereas, consideration is

* See ante, No. 3, art. 2, of this chapter.

Reference to
acts of hostili-
ty on the part
of the Creeks.

(* See ante,
No. 1, of this
chapter.)

Good faith of
the United
States, &c.

The United
States de-
mand an equi-
valent for ex-
penses, &c.

Boundary of
the equivalent
demanded,
&c.

due to the rectitude of proceeding dictated by instructions relating to the re-establishment of peace: be it remembered, that, prior to the conquest of that part of the Creek nation, hostile to the United States, numberless aggressions had been committed against the peace, the property, and the lives; of citizens of the United States, and those of the Creek nation in amity with her, at the mouth of Duck river, fort Mimms, and elsewhere, contrary to national faith, and the regard due to an article of the treaty concluded at New-York, in the year 1790,* between the two nations: that the United States, previous to the perpetration of such outrages, did, in order to insure future amity and concord between the Creek nation and the said states, in conformity with the stipulations of former treaties, fulfil, with punctuality and good faith, her engagements to the said nation: that more than two-thirds of the whole number of chiefs and warriors of the Creek nation, disregarding the genuine spirit of existing treaties, suffered themselves to be instigated to violations of their national honor, and the respect due to a part of their own nation, faithful to the United States and the principles of humanity, by impostors denominating themselves prophets, and by the duplicity and misrepresentation of foreign emissaries, whose governments are at war, open or understood, with the United States. Wherefore, 1st. The United States demand an equivalent for all expenses incurred in prosecuting the war to its termination, by a cession of all the territory belonging to the Creek nation, within the territories of the United States, lying west, south, and southeastwardly, of a line to be run and described by persons duly authorized and appointed by the president of the United States: beginning at a point on the eastern bank of the Coosa river, where the south boundary line of the Cherokee nation crosses the same; running from thence down the said Coosa river, with its eastern bank, according to its various meanders, to a point one mile above the mouth of Cedar creek, at fort Williams, thence east two miles, thence south two miles, thence west, to the eastern bank of the said Coosa river, thence down the eastern bank thereof, according to its various meanders, to a point opposite the upper end of the great falls, (called by the natives Woetumka,) thence east, from a true meridian line, to a point due north of the Ofuskee, thence south, by a like meridian line, to the mouth of Ofuskee, on the south side of the Tallapoosa river, thence up the same, according to its various meanders, to a point where a direct course will cross the same, at the distance of ten miles from the mouth thereof, thence a direct line to the mouth of Summochoico creek, which empties into the Chatahouchie river, on the east side thereof, below the Eufaulau town, thence east, from a true meridian line, to a point which shall intersect the line now dividing the lands claimed by the said Creek nation from those claimed

and owned by the state of Georgia : provided, nevertheless, that where any possession of any chief or warrior of the Creek nation, who shall have been friendly to the United States during the war, and taken an active part therein, shall be within the territory ceded by these articles to the United States, every such person shall be entitled to a reservation of land within the said territory, of one mile square, to include his improvements, as near the centre thereof as may be, which shall inure to the said chief or warrior, and his descendants, so long as he or they shall continue to occupy the same, who shall be protected by, and subject to, the laws of the United States ; but upon the voluntary abandonment thereof, by such possessor or his descendants, the right of occupancy or possession of said lands shall devolve to the United States, and be identified with the right of property ceded hereby.

Reservation
in favor of
friendly Creek
chiefs, &c.

Art. 2. The United States will guarantee to the Creek nation, the integrity of all their territory eastwardly and northwardly of the said line, to be run and described as mentioned in the first article.

Guarantee of
remaining
Creek territory.

Art. 3. The United States demand that the Creek nation abandon all communication, and cease to hold any intercourse, with any British or Spanish post, garrison, or town ; and that they shall not admit among them any agent or trader, who shall not derive authority to hold commercial, or other intercourse with them, by license from the president or authorized agent of the United States.

Creeks to hold
no communication
with
British or
Spanish posts;
nor admit
traders, ex-
cept, &c.

Art. 4. The United States demand an acknowledgment of the right to establish military posts and trading houses, and to open roads within the territory guaranteed to the Creek nation by the second article, and a right to the free navigation of all its waters.

Right to estab-
lish military
posts.

Art. 5. The United States demand, that a surrender be immediately made, of all the persons and property taken from the citizens of the United States, the friendly part of the Creek nation, the Cherokee, Chickasaw, and Choctaw nations, to the respective owners ; and the United States will cause to be immediately restored to the formerly hostile Creeks, all the property taken from them since their submission, either by the United States, or by any Indian nation in amity with the United States, together with all the prisoners taken from them during the war.

Surrender of
persons and
property of
citizens,
friendly
Creeks, &c.

Art. 6. The United States demand the caption and surrender of all the prophets and instigators of the war, whether foreigners or natives, who have not submitted to the arms of the United States, and become parties to these articles of capitulation, if ever they shall be found within the territory guaranteed to the Creek nation by the second article.

Surrender of
prophets, &c.

The United States to furnish necessities of life till the crops are sufficient.

Trading houses.

Permanent peace.

Course of the line, in case the one mentioned in art. 1st should include the Kinnards. See art. 1, ante, of this chap.

The preceding articles confirmed by the parties.

Art. 7. The Creek nation being reduced to extreme want, and not at present having the means of subsistence, the United States, from motives of humanity, will continue to furnish, gratuitously, the necessities of life, until the crops of corn can be considered competent to yield the nation a supply, and will establish trading houses in the nation, at the discretion of the president of the United States, and at such places as he shall direct, to enable the nation, by industry and economy, to procure clothing.

Art. 8. A permanent peace shall ensue from the date of these presents, forever, between the Creek nation and the United States, and between the Creek nation and the Cherokee, Chickasaw, and Choctaw nations.

Art. 9. If, in running east from the mouth of Summochoico creek, it shall so happen that the settlement of the Kinnards fall within the lines of the territory hereby ceded, then, and in that case, the line shall be run east, in a true meridian, to Kitchofoonee creek, thence, down the middle of said creek, to its junction with Flint river, immediately below the Oakmulgee town, thence, up the middle of Flint river, to a point due east of that at which the above line struck the Kitchofoonee creek, thence east to the old line hereinbefore mentioned: to wit, the line dividing the lands claimed by the Creek nation from those claimed and owned by the state of Georgia.

The parties to these presents, after due consideration, for themselves and their constituents, agree to ratify and confirm the preceding articles, and constitute them the basis of a permanent peace between the two nations; and they do hereby solemnly bind themselves, and all the parties concerned and interested, to a faithful performance of every stipulation contained therein.

In testimony whereof, they have hereunto, interchangeably, set their hands and affixed their seals, the day and date above written.

Andrew Jackson, <i>maj. gen. comd'g 7th m. div.</i>	l. s.
Tustunnuggee Thlucco, speaker for the Upper Creeks, his x mark,	l. s.
Micco Aupoegau, of Toukaubatchee, his x mark,	l. s.
Tustunnuggee Hopoiee, speaker of the Lower Creeks, his x mark,	l. s.
Micco Achulee, of Gowetau, his x mark,	l. s.
William M'Intorh, jr. major of Cowetau, his x mark,	l. s.
Tuskee Encah, of Cussetau, his x mark,	l. s.
Faue Emautla, of Cussetau, his x mark,	l. s.
Toukaubatchee Tustunnuggee, of Hitchetee, his x mark,	l. s.
Noble Kinnard, of Hitchetee, his x mark,	l. s.
Hopoiee Hutkee, of Souwagoolo, his x mark,	l. s.
Hopoiee Hutkee, for Hopoie Yoholo, of Souwagoolo, his x mark,	l. s.
Folappo Haujo, of Eufaulau, on Chattohochee, his x mark,	l. s.
Pachee Haujo, of Apalachoocla, his x mark,	l. s.
Timpoechee Bernard, captain of Uchees, his x mark,	l. s.
Uchee Micco, his x mark,	l. s.
Yoholo Micco, of Kialjee, his x mark,	l. s.

Socoskee Emautla, of Kialijee, his x mark,	l. s.
Choocchau Haujo, of Wococoi, his x mark,	l. s.
Esholottee, of Nauchee, his x mark,	l. s.
Yoholo Micco, of Tallapoosa Eufaulau, his x mark,	l. s.
Stintheis Haujo, of Abecoochee, his x mark,	l. s.
Ocfuskee Yoholo, of Toutacaugee, his x mark,	l. s.
John O'Kelly, of Coosa,	l. s.
Eneah Thlucco, of Immookfau, his x mark,	l. s.
Espokokeke Haujo, of Wewoko, his x mark,	l. s.
Eneah Thlucco Hopoiee, of Talesee, his x mark,	l. s.
Efiu Haujo, of Puccan Tallahassee, his x mark,	l. s.
Talesee Fixico, of Ocheobofau, his x mark,	l. s.
Nomatlee Emautla, or captain Isaacs, of Cousoudee, his x mark,	l. s.
Tuskegee Emautla, or John Carr, of Tuskegee, his x mark,	l. s.
Alexander Grayson, of Hillabee, his x mark,	l. s.
Lowee, of Ocmulgee, his x mark,	l. s.
Nocoosee Emautla, of Chuskee Tallafau, his x mark,	l. s.
William M'Intosh, for Hopoiee Haujo, of Ooseochee, his x mark,	l. s.
William M'Intosh, for Chehahaw Tustunnuggee, of Chehahaw, his x mark,	l. s.
William M'Intosh, for Spokokee Tustunnuggee, of Otellewhoyonnee, his x mark,	l. s.

Done at fort Jackson, in presence of

Charles Casady, *acting secretary,*
 Benjamin Hawkins, *agent for Indian affairs,*
 Return J. Meigs, *a. C. nation,*
 Robert Butler, *adjutant general U. States' army,*
 J. C. Warren, *assistant agent for Indian affairs,*
 George Mayfield,
 Alexander Curnels, } *public interpreters.*
 George Lovett,

No. 6. A treaty of limits between the United States and the Creek nation of Indians, made and concluded at the Creek Agency, on Flint river, the twenty-second day of January, in the year of our Lord one thousand eight hundred and eighteen. Treaty with the Creeks. Creek agency, 22d Jan. 1818,

James Monroe, president of the United States of America, by David Brydie Mitchell, of the state of Georgia, agent of Indian affairs for the Creek nation, and sole commissioner, specially appointed for that purpose, on the one part, and the undersigned kings, chiefs, head men, and warriors, of the Creek nation, in council assembled, on behalf of the said nation, of the other part, have entered into the following articles and conditions, viz:

Art. 1. The said kings, chiefs, head men, and warriors, do hereby agree, in consideration of certain sums of money to be paid to the said Creek nation, by the government of the United States, as hereinafter stipulated, to cede and forever quit claim, and do, in behalf of their said nation, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, and interest, which the said nation have, or claim, in or unto, the two following tracts of land, situate, lying, and being, within the following bounds; that is to say: 1st. Be- The Creeks cede two tracts of land to the United States.
1. Bounds of the first tract.

(* Ante, No. 5, of this chapter.)

ginning at the mouth of Goose creek, on the Alatomahau river, thence, along the line leading to the Mounts, at the head of St. Mary's river, to the point where it is intersected by the line run by the commissioners of the United States, under the treaty of fort Jackson,* thence, along the said last mentioned line, to a point where a line, leaving the same, shall run the nearest and a direct course, by the head of a creek called by the Indians Alcasalekie, to the Ocmulgee river; thence, down the said Ocmulgee river, to its junction with the Oconee, the two rivers there forming the Alatomahau; thence, down the Alatomahau, to the first mentioned bounds, at the mouth of Goose creek.

2. Bounds of the second tract.

2d. Beginning at the high shoals of the Appalachee river, and from thence, along the line designated by the treaty made at the city of Washington, on the fourteenth day of November, one thousand eight hundred and fifteen, to the Ulocofouhatchie, it being the first large branch, or fork, of the Ocmulgee, above the Seven Islands; thence, up the eastern bank of the Ulocofouhatchie, by the water's edge, to where the path, leading from the high shoals of the Appalachie to the shallow ford on the Chatahochie, crosses the same; and, from thence, along the said path, to the shallow ford on the Chatahochie river; thence, up the Chatahochie river, by the water's edge, on the eastern side, to Suwannee old town; thence, by a direct line, to the head of Appalachie; and thence, down the same, to the first mentioned bounds at the high shoals of Appalachie.

The United States to pay \$20,000 dollars within the year, and 10,000 dolls. annually, for ten years, as compensation for the lands ceded.

Art. 2. It is hereby stipulated and agreed, on the part of the United States, as a full consideration for the two tracts of land ceded by the Creek nation in the preceding article, that there shall be paid to the Creek nation by the United States, within the present year, the sum of twenty thousand dollars, and ten thousand dollars shall be paid annually for the term of ten succeeding years, without interest; making, in the whole, eleven payments in the course of eleven years, the present year inclusive; and the whole sum to be paid, one hundred and twenty thousand dollars.

Two blacksmiths and strikers for three years.

Art. 3. And it is hereby further agreed, on the part of the United States, that, in lieu of all former stipulations relating to blacksmiths, they will furnish the Creek nation for three years with two blacksmiths and strikers.

The president may cause boundary lines to be run.

Art. 4. The president may cause any line to be run which may be necessary to designate the boundary of any part of both, or either, of the tracts of land ceded by this treaty, at such time, and in such manner, as he may deem proper. And this treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the government of the United States.

This treaty obligatory when ratified.

Done at the place, and on the day and year before written.

D. B. MITCHELL.

Tustunnugee Tblucco, his x mark,
 Tustunnugee Hopoie, his x mark,
 William M^cIntosh,
 Tuskeenchaw, his x mark,
 Hopoie Haujo, his x mark,
 Cotchau Haujo, his x mark,
 Inthlanis Haujo, his x mark,
 Cowetau Micco, his x mark,
 Cusselau Micco, his x mark,
 Eufaulu Micco, his x mark,
 Hopoethle Haujo, his x mark,
 Hopoie Hatkee, his x mark,
 Yoholo Micco, his x mark,
 Tustunnugee, his x mark,
 Fatuske Henebau, his x mark,
 Yauhau Haujo, his x mark,
 Tuskegee Emautla, his x mark,
 Tustunnugee Hoithleloco, his x mark.

Present :

D. Brearly, *col. 7th inf.*
 Wm. S. Mitchell, *ast. agent, I. A. C. N.*
 M. Johnson, *lt. corps of Artillery,*
 Sl. Hawkins,
 George [G. L.] Lovett, } *interpreters.*

No. 7. Articles of a treaty entered into at the Indian Spring, in the Creek Treaty with
 nation, by Daniel M. Forney, of the state of North Carolina, and David Mc- the Creeks.
 riwether, of the state of Georgia, specially appointed for that purpose, on Indian Spring,
 the part of the United States; and the chiefs, head men, and warriors, of the 8th Jan. 1821.
 Creek nation, in council assembled.

Art. 1. The chiefs, head men, and warriors, of the Creek The Creeks
 nation, in behalf of the said nation, do, by these presents, cede cede land.
 to the United States all that tract or parcel of land, situate, ly-
 ing, and being, east of the following bounds and limits, viz :
 Beginning on the east bank of Flint river, where Jackson's line
 crosses, running thence, up the eastern bank of the same, along
 the water's edge, to the head of the principal western branch ;
 from thence, the nearest and a direct line, to the Chatahooche
 river, up the eastern bank of the said river, along the water's
 edge, to the shallow Ford, where the present boundary line be-
 tween the state of Georgia and the Creek nation touches the
 said river : *Provided, however,* That, if the said line should
 strike the Chatahooche river, below the Creek village Buzzard-
 Roost, there shall be a set-off made, so as to leave the said vil-
 lage one mile within the Creek nation ; excepting and reserv-
 ing to the Creek nation the title and possession, in the manner
 and form specified, to all the land hereafter excepted, viz : one
 thousand acres, to be laid off in a square, so as to include the
 Indian Spring in the centre thereof ; as, also, six and forty acres
 on the western bank of the Oakmulgee river, so as to include
 the improvements at present in the possession of the Indian
 chief General M^cIntosh.

Boundaries of
 the cession.

Provision; a set-
 off, if the line,
 strikes below
 Buzzard-
 Roost.

Reservations
 to the Creeks.

Title and possession of tracts in the Creek nation, as long as the occupants remain, &c.

Art. 2. It is hereby stipulated, by the contracting parties, that the title and possession of the following tracts of land shall continue in the Creek nation so long as the present occupants shall remain in the personal possession thereof, viz: one mile square, each, to include, as near as may be, in the centre thereof, the improvements of Michey Barnard, James Barnard, Buckey Barnard, Cussena Barnard, and Efaumathlaw, on the east side of Flint river; which reservations shall constitute a part of the cession made by the first article, so soon as they shall be abandoned by the present occupants.

Reservations for the United States' agency to the Creek nation.

Art. 3. It is hereby stipulated, by the contracting parties, that so long as the United States continue the Creek agency at its present situation on Flint river, the land included within the following boundary, viz: beginning on the east bank of Flint river, at the mouth of the Boggy Branch, and running out, at right angles, from the river, one mile and a half; thence up, and parallel with, the river, three miles: thence, parallel with the first line, to the river; and thence, down the river, to the place of beginning; shall be reserved to the Creek nation for the use of the United States' agency, and shall constitute a part of the cession made by the first article, whenever the agency shall be removed.

Payment for the land ceded by the Creek nation.

Art. 4. It is hereby stipulated and agreed, on the part of the United States, as a consideration for the land ceded by the Creek nation by the first article, that there shall be paid to the Creek nation, by the United States, ten thousand dollars in hand, the receipt whereof is hereby acknowledged; forty thousand dollars as soon as practicable after the ratification of this convention; five thousand dollars, annually, for two years thereafter; sixteen thousand dollars, annually, for five years thereafter; and ten thousand dollars, annually, for six years thereafter; making, in the whole, fourteen payments in fourteen successive years, without interest, in money or goods and implements of husbandry, at the option of the Creek nation, seasonably signified, from time to time, through the agent of the United States residing with said nation, to the department of war. And, as a further consideration for said cession, the United States do hereby agree to pay to the state of Georgia whatever balance may be found due by the Creek nation to the citizens of said state, whenever the same shall be ascertained, in conformity with the reference made by the commissioners of Georgia, and the chiefs, head men, and warriors, of the Creek nation, to be paid in five annual instalments, without interest, provided the same shall not exceed the sum of two hundred and fifty thousand dollars; the commissioners of Georgia executing to the Creek nation a full and final relinquishment of all the claims of the citizens of Georgia against the Creek nation, for property taken or destroyed prior to the act of Con-

The U. S. to pay to the state of Georgia the balance due by the Creek nation.

Commissioners of Georgia to execute a full and final release.

gress of one thousand eight hundred and two, regulating the intercourse with the Indian tribes.*

Art. 5. The president of the United States shall cause the line to be run from the head of Flint river to Chatahooche river, and the reservations made to the Creek nation to be laid off, in the manner specified in the first, second, and third; articles of this treaty, at such time and in such manner as he may deem proper, giving timely notice to the Creek nation; and this convention shall be obligatory on the contracting parties, as soon as the same shall have been ratified by the government of the United States.

The president to cause the line to be run and reservations to be laid off, &c.

Done at the Indian Spring, this eighth day of January, A. D. eighteen hundred and twenty-one.

D. M. Forney,
D. Meriwether,
Wm. M'Intosh,
Tustunnuggee Hopoie, his x mark,
Efau Emauthlau, his x mark,
Holoughlan, or col. Blue, his x mark,
Cussetau Micco, his x mark,
Sotetan Haujo, his x mark,
Etomme Tustunnuggee, his x mark,
Taakagee Emauthlau, his x mark,
Tuckle Luslee, his x mark,
Tuckte Lustee Haujo, his x mark,
Conepee Emauthlau, his x mark,
Hothlepoie, his x mark,
Tuskeenahesocki, his x mark,
Chaughle Miceo, his x mark,
Isfaune Tustunnuggee Haujo, his x mark,
Wau Thlucco Haujo, his x mark;
Itchu Haujo, his x mark,
Alabama Tustunnuggee, his x mark,
Holoughlan Tustunnuggee, his x mark,
Auhauhuck Yohola, his x mark,
Oscachee Tustunnuggee, his x mark,
Houpauthlee Tustunnuggee, his x mark,
Nenchaumaughtoochie, his x mark,
Henelau Tixico, his x mark,
Tusekeagh Haujo, his x mark,
Joseph Marshall.

In presence of

I. M'Intosh,	} commissioners of Georgia,
David Adams,	
Daniel Newman,	
D. B. Mitchell, agent for I. A.	
William Meriwether, secretary U. S. C.	
William Cook, secretary C. G.	
William Hambly,	} interpreters.
Sl. Hawkins,	
George Lovett,	

* See the act referred to chap.

of this volume.

Agreement
between the
commissioners
of Georgia and
the Creeks.
8th Jan. 1821.

Articles of agreement entered into, between the undersigned commissioners, appointed by the governor of the state of Georgia, for and on behalf of the citizens of the said state, and the chiefs, head men, and warriors, of the Creek nation of Indians.

Claims on
either side re-
ferred to the
decision of the
president.

Proviso; li-
quidation and
settlement to
be made in
Georgia, if it
meets the pre-
sident's views.

Whereas, at a conference opened and held at the Indian Spring, in the Creek nation, the citizens of Georgia, by the aforesaid commissioners, have represented that they have claims to a large amount against the said Creek nation of Indians : Now, in order to adjust and bring the same to a speedy and final settlement, it is hereby agreed by the aforesaid commissioners, and the chiefs, head men, and warriors, of the said nation, that all the talks had upon the subject of these claims at this place, together with all claims on either side, of whatever nature or kind, prior to the act of Congress of one thousand eight hundred and two, regulating the intercourse with the Indian tribes, with the documents in support of them, shall be referred to the decision of the president of the United States, by him to be decided upon, adjusted, liquidated, and settled, in such manner, and under such rules, regulations, and restrictions, as he shall prescribe : *Provided, however,* if it should meet the views of the president of the United States, it is the wish of the contracting parties, that the liquidation and settlement of the aforesaid claims shall be made in the state of Georgia, at such place as he may deem most convenient for the parties interested, and the decision and award, thus made and rendered, shall be binding and obligatory upon the contracting parties.

In witness whereof, we have hereunto set our hands and seals, this eighth day of January, one thousand eight hundred and twenty-one.

J. McIntosh,
David Adams,
Daniel Newman,
William McIntosh,
Tustunnuggee Hopole, his x mark,
Efau Emauthlau, his x mark.

Present,

D. M. Forney,
D. Meriwether.

Discharge for
all claims on
the Creeks.
Mineral
Spring, 8th
Jan. 1821.

Whereas a treaty or convention has this day been made and entered into, by and between the United States and the Creek nation, by the provisions of which the United States have agreed to pay, and the commissioners of the state of Georgia have agreed to accept, for and on behalf of the citizens of the state of Georgia, having claims against the Creek nation, prior to the year one thousand eight hundred and two, the sum of two hundred and fifty thousand dollars :

Now, know all men by these presents, that we, the undersigned, commissioners of the state of Georgia, for, and in con-

The commis-
sioners release

sideration of, the aforesaid sum of two hundred and fifty thousand dollars, secured by the said treaty or convention to be paid to the state of Georgia, for the discharge of all bona fide and liquidated claims, which the citizens of the said state may establish against the Creek nation, do, by these presents, release, exonerate, and discharge, the said Creek nation from all and every claim and claims, of whatever description, nature, or kind, the same may be, which the citizens of Georgia now have, or may have had, prior to the year one thousand eight hundred and two, against the said nation. And we do hereby assign, transfer, and set over, unto the United States, for the use and benefit of the said Creek nation, for the consideration hereinbefore expressed, all the right, title, and interest, of the citizens of the said state, to all claims, debts, damages, and property, of every description and denomination, which the citizens of the said state have, or had, prior to the year one thousand eight hundred and two, as aforesaid, against the said Creek nation.

the Creeks
from all claims
prior to 1802.

And transfer
them to the U.
States, for the
benefit of the
Creeks,

In witness whereof, we have hereunto affixed our hands and seals, at the Mineral Spring, in the said Creek nation, this eighth day of January, one thousand eight hundred and twenty-one.

J. McIntosh,
David Adams,
Daniel Newman.

Present,

D. M. Forney,
D. Meriwether,
D. B. Mitchell, *agent for Indian affairs.*

No. 8. Articles of a convention, entered into and concluded at the Indian Treaty with Springs, between Duncan G. Campbell, and James Meriwether, commissioners on the part of the United States of America, duly authorized, and Indians, the chiefs of the Creek nation, in council assembled.

Whereas the said commissioners, on the part of the United States, have represented to the said Creek nation, that it is the policy and earnest wish of the General Government, that the several Indian tribes within the limits of any of the states of the union should remove to territory to be designated on the west side of the Mississippi river, as well for the better protection and security of said tribes, and their improvement in civilization, as for the purpose of enabling the United States, in this instance, to comply with the compact entered into with the state of Georgia, on the twenty-fourth day of April, in the year one thousand eight hundred and two: And the said commissioners having laid the late message of the president of the United States, upon this subject, before a general council of said Creek nation, to the end that their removal might be effected upon terms advantageous to both parties:

And whereas the chiefs of the Creek towns have assented to the reasonableness of said proposition, and expressed a willingness to emigrate beyond the Mississippi, *those of Tokaubatchee excepted* :

Lands ceded
to them.

These presents therefore witness, that the contracting parties have this day entered into the following convention :

Art. 1. The Creek nation cede to the United States all the lands lying within the boundaries of the state of Georgia, as defined by the compact hereinbefore cited, now occupied by said nation, or to which said nation have title or claim; and also, all other lands which they now occupy, or to which they have title or claim, lying north and west of a line to be run from the first principal falls upon the Chatahoochie river, above Cowetau town, to Ockfuskee Old Town, upon the Tallapoosa, thence to the falls of the Coosaw river, at or near a place called the Hickory Ground.

Further
agreement be-
tween the con-
tracting par-
ties.

Art. 2. It is further agreed between the contracting parties, that the United States will give, in exchange for the lands hereby acquired, the like quantity, acre for acre, westward of the Mississippi, on the Arkansas river, commencing at the mouth of the Canadian Fork thereof, and running westward between said rivers Arkansas and Canadian Fork, for quantity. But whereas said Creek nation have considerable improvements within the limits of the territory hereby ceded, and will moreover have to incur expenses in their removal, it is further stipulated, that, for the purpose of rendering a fair equivalent for the losses and inconveniences which said nation will sustain by removal, and to enable them to obtain supplies in their new settlement, the United States agree to pay to the nation emigrating from the lands herein ceded, the sum of four hundred thousand dollars, of which amount there shall be paid to said party of the second part, as soon as practicable, after the ratification of this treaty, the sum of two hundred thousand dollars. And as soon as the said party of the second part shall notify the government of the United States of their readiness to commence their removal, there shall be paid the further sum of one hundred thousand dollars. And the first year after said emigrating party shall have settled in their new country, they shall receive of the amount first above named, the further sum of twenty-five thousand dollars. And the second year, the sum of twenty-five thousand dollars. And annually, thereafter, the sum of five thousand dollars, until the whole is paid.

Annuities to
be equally di-
vided.

Art. 3. And whereas the Creek nation are now entitled to annuities of thirty thousand dollars each,* in consideration of cessions of territory heretofore made, it is further stipulated, that said last mentioned annuities are to be hereafter divided in a

* A mistake.—All the annuities to which the Creek nation is entitled, amount to about this sum.

just proportion between the party emigrating and those that may remain.

Art. 4. It is further stipulated, that a deputation from the said parties of the second part, may be sent out to explore the territory herein offered them in exchange; and if the same be not acceptable to them, then they may select any other territory, west of the Mississippi, on Red, Canadian, Arkansas, or Missouri rivers—the territory occupied by the Cherokees and Choctaws excepted; and if the territory so to be selected shall be in the occupancy of other Indian tribes, then the United States will extinguish the title of such occupants for the benefit of said emigrants.

Territory offered said Indians to be explored.

Art. 5. It is further stipulated, at the particular request of the said parties of the second part, that the payment and disbursement of the first sum herein provided for, shall be made by the present commissioners negotiating this treaty.

Payment, &c. of the first sum to be paid by the commissioners.

Art. 6. It is further stipulated, that the payments appointed to be made, the first and second years, after settlement in the west, shall be either in money, merchandise, or provisions, at the option of the emigrating party.

Other payments to be made in such manner as said Indians may choose.

Art. 7. The United States agree to provide and support a blacksmith and wheelwright for the said party of the second part, and give them instruction in agriculture, as long, and in such manner, as the president may think proper.

Provision to be made by the United States.

Art. 8. Whereas the said emigrating party cannot prepare for immediate removal, the United States stipulate, for their protection against the encroachments, hostilities, and impositions, of the whites, and of all others; but the period of removal shall not extend beyond the first day of September, in the year eighteen hundred and twenty-six.

Extension of the time of their removal.

Art. 9. This treaty shall be obligatory on the contracting parties, so soon as the same shall be ratified by the president of the United States, by and with the consent of the senate thereof.

This treaty to take effect when ratified.

In testimony whereof, the commissioners aforesaid, and the chiefs and head men of the Creek nation, have hereunto set their hands and seals, this twelfth day of February, in the year of our Lord one thousand eight hundred and twenty-five.

Duncan G. Campbell,	l. s.
James Meriwether,	l. s.
<i>Commissioners on the part of the United States.</i>	
William M'Intosh, head chief of Cowetaus,	l. s.
Etommec Tustunnuggee, of Cowetau,	
his x mark,	l. s.
Holahtau, or col. Blue, his x mark,	l. s.
Cowetau Tustunnuggee, his x mark,	l. s.
Artus Mico, or Roby M'Intosh, his x mark,	l. s.
Chilly M'Intosh,	l. s.

Joseph Marshall,	l. s.
Athlan Hajo, his x mark,	l. s.
Tuskenahah, his x mark,	l. s.
Benjamin Marshall,	l. s.
Coccus Hajo, his x mark,	l. s.
Forshatepu Mico, his x mark,	l. s.
Oethlamata Tustunnuggee, his x mark,	l. s.
Tallasee Hajo, his x mark,	l. s.
Luskegee Tustunnuggee, his x mark,	l. s.
Foshajee Tustunnuggee, his x mark,	l. s.
Eman Chuccolocana, his x mark,	l. s.
Abeco Tustunnuggee, his x mark,	l. s.
Hijo Hajo, his x mark,	l. s.
Thla Tho Hajo, his x mark,	l. s.
Tomico Holueto, his x mark,	l. s.
Yah Te Ko Hajo, his x mark,	l. s.
No co see Emautla, his x mark,	l. s.
Col. Wm. Miller, Thlecatchca, his x mark,	l. s.
Abeco Tustunnuggee, his x mark,	l. s.
Hoethlepoga Tustunnuggee, his x mark,	l. s.
Hepocokee Emautla, his x mark,	l. s.
Samuel Miller, his x mark,	l. s.
Tomoc Mico, his x mark,	l. s.
Charles Miller, his x mark,	l. s.
Tallasee Hajo, or John Carr, his x mark,	l. s.
Otulga Emautla, his x mark,	l. s.
Ahalaco Yoholo, of Cusetau, his x mark,	l. s.
Walucco Hajo, of New Yauco, his x mark,	l. s.
Cohausee Emautla, do. his x mark,	l. s.
Ninecomau Tochee, do. his x mark,	l. s.
Konope Emautla, Sand Town, his x mark,	l. s.
Chawacala Mico, Sand Town, his x mark,	l. s.
Foctalustee Emautla, do. his x mark,	l. s.
Josiah Gray, from Hitchatee, his x mark,	l. s.
William Kannard, do. his x mark,	l. s.
Neha Thlucto Hatkee, do. his x mark,	l. s.
Halathla Fixico, from Big Shoal, his x mark,	l. s.
Alex. Lasley, from Talledega, his x mark,	l. s.
Espokoke Hajo, do. his x mark,	l. s.
Emautla Hajo, do. his x mark,	l. s.
Nincomatachee, do. his x mark,	l. s.
Chuhah Hajo, do. his x mark,	l. s.
Efie Emautla, do. his x mark,	l. s.
Atausee Hopoie, do. his x mark,	l. s.
James Fife, do. his x mark,	l. s.

Executed on the day as above written, in presence of

John Crowell, *agent for Indian affairs,*

Wm. F. Hay, *secretary,*

Wm. Meriwether,

Wm. Hambly, *U. S. interpreter.*

Whereas, by a stipulation in the treaty of the Indian Springs, in 1821, there was a reserve of land made to include the said Indian Springs for the use of general William M^cIntosh, be it therefore known to all whom it may concern, that we, the undersigned chiefs and head men of the Creek nation, do hereby agree to relinquish all the right, title, and control of the Creek nation to the said reserve, unto him the said William M^cIn-

tosh and his heirs, forever, in as full and ample a manner as we are authorized to do.

Big B. W. Warrior,
Yoholo Micco, his x mark,
Little Prince, his x mark,
Hopoie Hadjo, his x mark,
Tuskehenahau, his x mark,
Oskefuska Yohola, his x mark,
John Crowell, *agent for Indian affairs.*

July 25, 1825.

Whereas the foregoing articles of convention have been concluded between the parties thereto: And, whereas, the Indian chief, general William M'Intosh, claims title to the Indian Spring reservation (upon which there are very extensive buildings and improvements) by virtue of a relinquishment to said M'Intosh, signed in full council of the nation: And whereas the said-general William M'Intosh hath claim to another reservation of land on the Ocmulgee river, and by his lessee and tenant, is in possession thereof: Additional article.

Now these presents further witness, that the said general William M'Intosh, and also the chiefs of the Creek nation, in council assembled, do quit claim, convey, and cede to the United States, the reservations aforesaid, for, and in consideration of, the sum of twenty-five thousand dollars, to be paid at the time and in the manner as stipulated, for the first instalment provided for in the preceding treaty. Upon the ratification of these articles, the possession of said reservations shall be considered as passing to the United States, and the accruing rents of the present year shall pass also.

In testimony whereof, the said commissioners, on the part of the United States, and the said William M'Intosh and the chiefs of the Creek nation, have hereunto set their hands and seals, at the Indian Springs, this fourteenth day of February, in the year of our Lord one thousand eight hundred and twenty-five.

Duncan G. Campbell,	l. s.
James Meriwether,	l. s.
<i>U. S. Commissioners.</i>	
William M'Intosh,	l. s.
Eetommee Tustunnuggee, his x mark,	l. s.
Tuskegoh Tustunnuggee, his x mark,	l. s.
Cowetau Tustunnuggee, his x mark,	l. s.
Col. Wm. Miller, his x mark,	l. s.
Josiah Gray, his x mark,	l. s.
Nehathlucco Hatchee, his x mark,	l. s.
Alexander Lealey, his x mark,	l. s.
William Canard, his x mark,	l. s.

Witnesses at execution:

Wm. F. Hay, *secretary,*
Wm. Hamblly, *United States' Interpreter.*

CHAPTER IX.

Treaty with the Kaskaskia tribe of Indians.

Treaty with
the Kaskas-
kias.

No. 1. Articles of a treaty made at Vincennes, in the Indian territory, between William Henry Harrison, governor of the said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties which may be found necessary with any of the Indian tribes. northwest of the river Ohio, of the one part, and the head chiefs and warriors of the Kaskaskia tribe of Indians, so called, (but which tribe is the remains and rightfully represent all the tribes of the Illinois Indians, originally called the Kaskaskia, Mitchigamia, Cahokia, and Tamaroi,) of the other part.

Illinois In-
dians reduced
to the Kaskas-
kia tribe.

Art. 1. Whereas, from a variety of unfortunate circumstances, the several tribes of Illinois Indians are reduced to a very small number, the remains of which have been long consolidated and known by the name of the Kaskaskia tribe, and finding themselves unable to occupy the extensive tract of country, which of right belongs to them, and which was possessed by their ancestors for many generations, the chiefs and warriors of the said tribe being also desirous of procuring the means of improvement in the arts of civilized life, and a more certain and effectual support for their women and children, have, for the considerations hereinafter mentioned, relinquished, and by these presents do relinquish and cede to the United States, all the lands in the Illinois territory, which the said tribe has heretofore possessed, or which they may rightfully claim, reserving to themselves, however, the tract of about three hundred and fifty acres near the town of Kaskaskia, which they have always held, and which was secured to them by the act of congress, of the third day of March, one thousand seven hundred and ninety-one,* and also the right of locating one other tract of twelve hundred and eighty acres, within the bounds of that now ceded, which two tracts of land shall remain to them forever.

The Kaskas-
kias cede all
their lands in
the Illinois.
Reservation
of 350 acres.

Another tract
of 1,280 acres.

United States
take the Kas-
kaskias under
their protec-
tion; who are
not to make
war, &c.
without the
consent of the
United States.

Art. 2. The United States will take the Kaskaskia tribe under their immediate care and patronage, and will afford them a protection as effectual against the other Indian tribes, and against all other persons whatever, as is enjoyed by their own citizens. And the said Kaskaskia tribe do hereby engage to refrain from making war, or giving any insult or offence to any other Indian tribe, or to any foreign nation, without having first obtained the approbation and consent of the United States.

* The provision referred to, is contained in a *proviso* to the 6th section of "An act for granting lands to the inhabitants and settlers at Vincennes, and the Illinois country, in the territory north-west of the Ohio, and for confirming them in their possessions," approved 3d of March, 1791, and is in the following words, "*Provided, nevertheless,* That no claim founded upon purchase or otherwise, shall be admitted within a tract of land heretofore occupied by the Kaskaskia nation of Indians, and including their village, which is hereby appropriated to the use of the said Indians."

Art. 3. The annuity heretofore given by the United States to the said tribe, shall be increased to one thousand dollars; which is to be paid them either in money, merchandise, provisions, or domestic animals, at the option of the said tribe: and when the said annuity or any part thereof is paid in merchandise, it is to be delivered to them either at Vincennes, fort Massac, or Kaskaskia, and the first cost of the goods in the seaport where they may be procured, is alone to be charged to the said tribe, free from the cost of transportation, or any other contingent expense. Whenever the said tribe may choose to receive money, provisions, or domestic animals, for the whole or in part of the said annuity, the same shall be delivered at the town of Kaskaskia. The United States will also cause to be built a house suitable for the accommodation of the chief of the said tribe, and will enclose for their use a field, not exceeding one hundred acres, with a good and sufficient fence. And whereas the greater part of the said tribe have been baptized and received into the Catholic church, to which they are much attached, the United States will give, annually, for seven years, one hundred dollars towards the support of a priest of that religion, who will engage to perform for the said tribe the duties of his office, and also to instruct as many of their children as possible in the rudiments of literature. And the United States will further give the sum of three hundred dollars to assist the said tribe in the erection of a church. The stipulations made in this and the preceding article, together with the sum of five hundred and eighty dollars, which is now paid, or assured to be paid, for the said tribe, for the purpose of procuring some necessary articles, and to relieve them from debts which they have heretofore contracted, is considered as a full and ample compensation for the relinquishment made to the United States in the first article.

Former annuity increased to \$1,000, payable in money or merchandise.

The United States to build a house for the chief, and enclose a field for the tribe.

The United States to give \$700 towards the support of a priest; and \$300 to aid in erecting a church.

\$580, with preceding stipulations, full compensation.

Art. 4. The United States reserve to themselves the right, at any future period, of dividing the annuity now promised to the said tribe, amongst the several families thereof, reserving always a suitable sum for the great chief and his family.

The United States reserve the right of dividing the annuity, &c.

Art. 5. And to the end that the United States may be enabled to fix with the other Indian tribes, a boundary between their respective claims, the chiefs and head warriors of the said Kaskaskia tribe, do hereby declare, that their rightful claim is as follows, viz: beginning at the confluence of the Ohio and the Mississippi, thence up the Ohio to the mouth of the Saline creek, about twelve miles below the mouth of the Wabash, thence along the dividing ridge, between the said creek and the Wabash, until it comes to the general dividing ridge between the waters which fall into the Wabash and those which fall in-

Boundary of the lands ceded by the Kaskaskias.

* By the 4th article of the treaty of Greenville, of the 3d of August, 1795, the Kaskaskia tribe are allowed only \$500 annually. See chap. 3, No. 3, post.

to the Kaskaskia river ; and thence along the said ridge, until it reaches the waters which fall into the Illinois river, thence in a direct course to the mouth of the Illinois river, and thence down the Mississippi to the beginning.

Kaskaskias retain a temporary right to hunt on the ceded lands.

Art. 6. As long as the lands which have been ceded by this treaty, shall continue to be the property of the United States, the said tribe shall have the privilege of living and hunting upon them, in the same manner that they have hitherto done.

This treaty to be binding as soon as ratified.

Art. 7. This treaty is to be in force and binding upon the said parties, as soon as it shall be ratified by the president and senate of the United States.

In witness whereof, the said commissioner plenipotentiary, and the head chiefs and warriors of the said Kaskaskia tribe of Indians, have hereunto set their hands and affixed their seals, the thirteenth day of August, in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty-eighth.

William Henry Harrison,	l. s.
The mark x of Jean Baptiste Ducoigne,	l. s.
The mark x of Pedagouge,	l. s.
The mark x of Micolas or Nicholas,	l. s.
The mark x of Ocksinga, a Mitchigamian,	l. s.
The mark x of Keetinsa, a Cahokian,	l. s.
Louis Decoucigne,	l. s.

Sealed and delivered in the presence of

John Rice Jones, *secretary to the commissioner,*
 Henry Vanderburgh, *one of the judges of the Indiana territory,*
 T. F. Rivet, *Indian missionary,*
 Vigo, *colonel of Knox county militia,*
 Cornelius Lyman, *captain 1st infantry regiment,*
 Jas. Johnson, *of Indiana territory,*
 B. Parke, *of the Indiana territory,*
 Joseph Barron, *interpreter.*

[*Note.* The Kaskaskias are, also, parties, in common, to other treaties, for which see ante, Nos. 3, 4, 5, and 18, of chapter 3.]

CHAPTER X.

Treaties with the Piankeshaw tribes of Indians.

Treaty with the Piankeshaws.

No. 1. A treaty between the United States of America, and the Piankeshaw tribe of Indians.

Treaty bind-

The president of the United States, by William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the river Ohio, and the chiefs and head men of the Piankeshaw tribe, have agreed to the following articles, which, when ratified by

the president of the United States, by and with the advice and consent of the senate, shall be binding upon the said parties. ing when ratified.

Art. 1. The Piankeshaw tribe relinquishes, and cedes to the United States forever, all that tract of country which lies between the Ohio and Wabash rivers, and below Clark's grant and the tract called the Vincennes tract, which was ceded by the treaty of fort Wayne, and a line connecting the said tract and grant, to be drawn parallel to the general course of the road leading from Vincennes to the falls of the Ohio, so as not to pass more than half a mile to the northward of the most northerly bend of said road.* The Piankeshaws cede a tract of country between the Ohio and the Wabash. See ante, treaty with the Delawares, No. 2, art. 1, and chap. 1.

Art. 2. The Piankeshaw tribe acknowledges explicitly the right of the Kaskaskia tribe to sell the country which they have lately ceded to the United States, and which is separated from the lands of the Piankeshaws by the ridge or high land which divides the waters of the Wabash from the waters of the Saline creek; and by that which divides the waters of the said Wabash from those which flow into the Auvase, and other branches of the Mississippi. Right of the Kaskaskias to sell the country ceded by them. See ante, chap. 9, No. 1.

Art. 3. An additional annuity† of two hundred dollars shall be paid by the United States to the said tribe, for ten years, in money, merchandise, provisions, or domestic animals, and implements of husbandry, at the option of the said tribe; and this annuity, together with goods to the value of seven hundred dollars, which are now delivered to them by the commissioner of the United States, is considered as a full compensation for the abovementioned relinquishment. Additional annuity of \$900 to the Piankeshaws for ten years, and \$700 worth of goods delivered, &c.

Art. 4. The United States reserve to themselves the right of dividing the whole annuity which they pay to the said tribe, amongst the families which compose the same; allowing always a due proportion for the chiefs. And the said chiefs, whenever the president of the United States may require it, shall, upon proper notice being given, assemble their tribe for the purpose of effecting this arrangement. The United States reserve the right to divide the whole annuity among the Piankeshaw families, &c.

In witness whereof, the commissioner plenipotentiary of the United States, and the chiefs and head men of the said tribe, have hereunto set their hands and affixed their seals. Done at Vincennes, in the Indiana territory, the twenty-seventh day of August, in the year of our Lord one thousand eight hundred and four; and of the independence of the United States the twenty-ninth.

William Henry Harrison,	l. s.
Wabochquinke, La Gros Bled, or Big Corn, his x mark,	l. s.
Swekania, Trois Fease, or Three Thighs, his x mark,	l. s.

* See treaty with the Delawares, concluded at Vincennes the 18th of August, 1804. Ante, chap. 1, No. 2, art. 5.

† By the treaty of Greenville, of the 3d of August, 1795, the annuity allotted to the Piankeshaws was \$500. See post chap. 3, No. 3, art. 4.

Makatewelama, Chien Noir, or Black Dog, his x mark, l. s.
 Alemoin, Le Chien, or the Dog, his x mark, l. s.
 Kekelanquagoh, or Lightning, his x mark, l. s.

Signed, sealed, and delivered, in presence of

John Gibson, *secretary to the commissioner,*
 John Griffin, *one of the judges of the E'y of Indiana,*
 Henry Vanderburgh, *one of the judges of the Indiana territory,*
 B. Parke, *attorney general of the E'y. of Indiana,*
 William Prince, *sheriff of Knox county, Indiana territory,*
 George Wallace, *jun. of the Indiana territory,*
 Peter Jones, *of Knox county, Indiana territory,*
 Edward Hempstead, *attorney at law, Indiana territory,*
 Abraham F. Snapp,
 Joseph Barron, *interpreter.*

I do certify that each and every article of the foregoing treaty was carefully explained and precisely interpreted, by me, to the Piankeshaw chiefs who have signed the same.

JOSEPH BARRON, *interpreter.*

Treaty with
the Pianke-
shaws.

No. 2. Articles of a treaty made at Vincennes, in the Indiana territory, between William Henry Harrison, governor of the said territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties, which may be found necessary, with any of the Indian tribes northwest of the Ohio, of the one part, and the chiefs and head men of the Piankeshaw tribe, of the other part.

The Pianke-
shaws cede a
tract of coun-
try herein de-
scribed.

(* See ante,
chapter 9, No.
1.)

Art. 1. The Piankeshaw tribe cedes and relinquishes to the United States forever, all that tract of country, (with the exception of the reservation hereinafter made,) which lies between the Wabash and the tract ceded by the Kaskaskia tribe, in the year one thousand eight hundred and three,* and south of a line to be drawn from the northwest corner of the Vincennes tract, north seventy-eight degrees west, until it intersects the boundary line which has heretofore separated the lands of the Piankeshaws from the said tract ceded by the Kaskaskia tribe.

The United
States take
the Pianke-
shaws under
their care and
protection.

Art. 2. The United States take the Piankeshaw tribe under their immediate care and patronage, and will extend to them a protection as effectual as that which is enjoyed by the Kaskaskia tribe; and the said Piankeshaw tribe will never commit any depredations or make war upon any of the other tribes without the consent of the United States.

Additional an-
nuity of \$300
to the Pianke-
shaws.

(† See ante,
chapter 1, No.
3, art. 4.)

Division of an-
nuity.

Art. 3. The said United States will cause to be delivered to the Piankeshaws yearly, and every year, an additional annuity of three hundred dollars, which is to be paid in the same manner, and under the same conditions, as that to which they are entitled by the treaty of Greenville:† provided always that the United States may, at any time they shall think proper, divide the said annuity amongst the individuals of the said tribe.

Art. 4. The stipulations made in the preceding articles, together with the sum of one thousand one hundred dollars, which is now delivered, the receipt whereof the said chiefs do hereby acknowledge, is considered a full compensation for the cession and relinquishment abovementioned.

Art. 5. As long as the lands now ceded remain the property of the United States, the said tribe shall have the privilege of living and hunting upon them, in the same manner that they have heretofore done; and they reserve to themselves the right of locating a tract of two square miles, or twelve hundred and eighty acres, the fee of which is to remain with them forever.

Art. 6. This treaty shall be in force as soon as it shall be ratified by the president of the United States, by and with the advice and consent of the senate.

In testimony whereof, the said William Henry Harrison, and the chiefs and head men representing the said Piankeshaw tribe, have hereunto set their hands and affixed their seals. Done at Vincennes, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and five, and of the independence of the United States the thirtieth.

William Henry Harrison,	l. s.
Wabakinklelia, or Gros Bled,	l. s.
Pauquia, or Montour,	l. s.
Macatiwaaluna, or Chien Noir,	l. s.

Signed, sealed, and executed, in presence of

William Prince, *secretary to the commissioner,*
 John Griffin, *one of the judges of the Indiana territory,*
 John Gibson, *secretary Indiana territory,*
 John Badollet, *register of the land office,*
 Nathl. Ewing, *receiver public moneys,*
 John Rice Jones, *of the Indiana territory,*
 Dubois, *of the Indiana territory,*
 Wm. Bullett, *of Vincennes,*
 Jacob Kingskedall, *Vincennes,*
 H. Hurst, *Vincennes, I. T.*
 John Johnson,
 Michel Brouillet, *interpreter.*

No. 3. A treaty of peace and friendship, made and concluded, between William Clark, Ninian Edwards, and Augusta Chouteau, commissioners plenipotentiary of the United States of America on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Piankeshaw tribe or nation, on the part and behalf of the said tribe or nation, of the other part.

The parties being anxious of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things and in every respect on the same footing upon which they stood before the war, have agreed to the following articles:

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Preceding stipulations, and \$1,100, full compensation.

The Piankeshaws allowed to hunt, &c. on the ceded lands whilst the property of the U. S. Reservation of 1,280 acres.

This treaty to be in force as soon as ratified.

Treaty with the Piankeshaws.

Peace and friendship re-established.

Injuries to be mutually forgiven.

Perpetual
peace between
citizens and
the Pianke-
shaws.

Former trea-
ties recognis-
ed.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the Piankeshaw tribe or nation.

Art. 3. The contracting parties in the sincerity of mutual friendship, recognize, re-establish and confirm all and every treaty, contract or agreement, heretofore concluded between the United States and the said Piankeshaw tribe or nation.

In witness of all and every thing herein determined between the United States of America, and the said Piankeshaw tribe or nation: we, their underwritten commissioners and chiefs aforesaid, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Portage des Sioux, this eighteenth day of July, in the year of our Lord, one thousand eight hundred and fifteen, and of the independence of the United States of America the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
La ma-noan, or the axe, his x mark,
La-mee-pris-jeau, or sea-wolf, his x mark,
Mon-sai-raa, or rusty, his x mark,
Wa-pan-gia, or swan, his x mark,
Na-maing-sa, or the fish, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commissioners*,
Thomas Forsyth, *J. agent*,
N. Boilvin, *agent*,
T. Paul, *C. C. M.*
Maurice Blondeaux,
John Hay,
John Miller, *col. 3d inf.*
Richard Chitwood, *may. mt.*
Wm. Irvine Adair, *capt. 3d reg. U. S. inf.*
Cyrus Edwards,
Saml. Solomon,
Jacques Matte,
Louis Decouagne,
John A. Cameron, } *sworn interpreters*,
F. Duchouquet, *U. S. interpreter, W.*
Louis Rufait, *Indian interpreter*,
J. Bts. Chandonnai, *interpreter*,
W. Knaggs,
Antoine Bondi,
Jean Bt. Massac, *his x mark*.

Contract with
the Pianke-
shaws.

No. 4. Contract entered into, under the authority of the United States, between governor Thomas Posey, superintendent of Indian affairs, and Che-kom-mia or Big River, principal chief of the Piankeshaws.

This indenture, made this third day of January, 1818, between governor Thomas Posey, superintendent of Indian af-

fairs, on the one part, and Chekommia or Big River, principal chief of the Piankeshaw tribe of Indians, acting as well in his own name, as in the name and behalf of the said Piankeshaw tribe of Indians, on the other part, witnesseth:

Whereas at a treaty held under the authority of the United States, with the chiefs and head men, of the said Piankeshaw nation of Indians, at Vincennes, in the Indiana territory, the 27th day of August, 1804, and William Henry Harrison, governor of the Indiana territory, superintendent of Indian affairs, and commissioner plenipotentiary of the United States, for concluding any treaty or treaties, with said tribe, it was agreed by said William Henry Harrison, on the one part, and the chiefs and head men of said tribe, on the other; that the Piankeshaw tribe, for the consideration therein mentioned, should cede and relinquish to the United States forever, all that tract of country, which lies between the Wabash and the tract ceded by the Kaskaskia tribe, in the year one thousand eight hundred and three, and south of a line to be drawn from the northwest corner of Vincennes tract, northerly seventy-eight degrees west, until it intersects the boundary line which has heretofore separated the lands of the Piankeshaws from the said tract ceded by the Kaskaskia tribe.

And it was also further agreed by the chiefs of the said Piankeshaw tribe, on the one part, and the said William Henry Harrison, on the other part, that the said tribe should reserve to themselves, the right of locating a tract of two square miles, or twelve hundred and eighty acres; the fee of which is to remain with them forever. And whereas the said Piankeshaw nation, being reduced in number, and being unable to occupy the land reserved to them, by the treaty concluded between the chiefs of said tribe, and William Henry Harrison as aforesaid: therefore be it known, to all to whom these presents shall come, greeting: That the said Chekommia, commonly called Big River, principal chief and head man of the Piankeshaw tribe of Indians; as well in his own name, as in the name and behalf of the said Piankeshaw tribe, for the consideration of one thousand dollars received to our full satisfaction, of governor Thomas Posey, superintendent of Indian affairs, and with full power and authority from the president of the United States, to act concerning the within named premises, have relinquished, and do by these presents, cede and relinquish to the United States, all that tract of land two miles square, and containing twelve hundred and eighty acres, being the same tract which was reserved to us by the treaty concluded, at Vincennes, as aforesaid, between governor William Henry Harrison, on the one part, and the chiefs and head men of the said Piankeshaw nation, on the other.

Reference to the provisions of the treaty of 1804. (See ante, No. 1, of this chapter.)

Relinquishment of the 2 miles square of land, reserved by the treaty of 1804, before referred to.

In testimony whereof, the said Thomas Posey, superintendent of Indian affairs, and Chekommia, principal chief, and representing the said Piankeshaw tribe, have hereunto set their hands and affixed their seals.

Done at Vincennes, this third day of January, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Th. Posey, l. s.
Chekommia, or Big River, his x mark, l. s.

Signed, sealed, and executed in presence of

John Law, attorney at law,
H. Lasselle,
Caleb Lowmes,
Joseph Barron, *Indian interpreter*,
Macatamanguay, or Loon, a *Wea* chief, his x mark.

This may certify, that Chehommia or Big River, who has signed the above, is principal chief and head man of the Piankeshaw tribe, and with full power and authority from said tribe, to sign and execute the above contract, on behalf of said tribe.

Macatamanguay, or Loon, a *Wea* chief, his x mark,
Little Eyes, or Washington, a *Wea* chief, his x mark.

[*Note.* The Piankeshaws are parties, in common, with other tribes, to other treaties, for which see ante, chap. 3, Nos. 3, 4, 5.]

CHAPTER XI.

*Treaties with the united tribes of Sac and Fox Indians.**

Treaty with
the Sacs and
Foxes.

No. 1. Articles of a treaty made at St. Louis, in the district of Louisiana, between William Henry Harrison, governor of the Indiana territory, and of the district of Louisiana, superintendent of Indian affairs for the said territory and district, and commissioner plenipotentiary of the United States for concluding any treaty or treaties, which may be found necessary, with any of the northwestern tribes of Indians, of the one part, and the chiefs and head men of the united Sac and Fox tribes, of the other part.

The Sacs and
Foxes under
the protection
of the U. S.

Art. 1. The United States receive the united Sac and Fox tribes into their friendship and protection, and the said tribes agree to consider themselves under the protection of the United States, and of no other power whatsoever.

Boundary line
between the
lands of the
United States
and those of

Art. 2. The general boundary line between the lands of the United States and of the said Indian tribes shall be as follows, to wit: beginning at a point on the Missouri river opposite to the mouth of the Gasconade river; thence in a direct course so

* As these tribes occupy the same country, and are much mixed by intermarriages, they are considered as one—although in several cases they have separately made treaties with the United States, as will be seen by reference to Nos. 2, 3, 4, of this chapter—see also ante, chapter 3, No. 3, in which the Sacs are parties, in common with other tribes.

as to strike the river Jeffreon, at the distance of thirty miles from its mouth, and down the said Jeffreon to the Mississippi, thence up the Mississippi to the mouth of the Ouisconsing river, and up the same to a point which shall be thirty-six miles in a direct line from the mouth of the said river, thence by a direct line to the point where the Fox river (a branch of the Illinois) leaves the small lake called Sakaegan, thence down the Fox river to the Illinois river, and down the same to the Mississippi. And the said tribes, for and in consideration of the friendship and protection of the United States, which is now extended to them, of the goods (to the value of two thousand two hundred and thirty-four dollars and fifty cents) which are now delivered, and of the annuity hereinafter stipulated to be paid,* do hereby cede and relinquish forever to the United States, all the lands included within the above described boundary.

the Sacs and Foxes.

For friendship and protection, \$2,234 50 cts. worth of goods, and annuity, the tribes cede the lands within the boundary herein described.

Art. 3. In consideration of the cession and relinquishment of land made in the preceding article, the United States will deliver to the said tribes, at the town of St. Louis, or some other convenient place on the Mississippi, yearly, and every year, goods suited to the circumstances of the Indians, of the value of one thousand dollars, (six hundred of which are intended for the Sacs, and four hundred for the Foxes,) reckoning that value at the first cost of the goods in the city or place in the United States where they shall be procured. And if the said tribes shall hereafter, at an annual delivery of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry, and other utensils convenient for them, or in compensation to useful artificers who may reside with or near them, and be employed for their benefit, the same shall, at the subsequent annual delivery, be furnished accordingly.

Annuity of \$1,000 worth of goods. \$600 for the Sacs, and \$400 for the Foxes.

The tribes, on notice, may commute a part of their annuities for domestic animals, &c.

Art. 4. The United States will never interrupt the said tribes in the possession of the lands which they rightfully claim, but will, on the contrary, protect them in the quiet enjoyment of the same, against their own citizens, and against all other white persons who may intrude upon them. And the said tribes do hereby engage, that they will never sell their lands, or any part thereof, to any sovereign power but the United States, nor to the citizens or subjects of any other sovereign power, nor to the citizens of the United States.

The United States to protect the tribes in the possession of their lands.

The tribes not to sell to a foreign power, nor to citizens.

Art. 5. Lest the friendship which is now established between the United States and the said Indian tribes, should be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall

Revenge for private injuries, prohibited.

Complaint to

* See article 3, of this chapter.

be made of private injuries.

Offending Indians to be delivered up for punishment.

Citizens to be punished for robbery, &c. of Indians.

Chiefs to exert themselves to recover stolen property, which is to be restored.

In case stolen property is not restored, the value to be deducted from annuity, on proof.

Guarantee of indemnification for property stolen by citizens, &c.

Intruders on the lands of the Sacs and Foxes to be removed, on complaint.

Sacs and Foxes may live and hunt on the ceded lands, &c.

Sacs and Foxes not to suffer unlicensed traders to reside among them.

be made by the party injured to the other ; by the said tribes, or either of them, to the superintendent of Indian affairs, or one of his deputies, and by the superintendent or other person appointed by the president, to the chiefs of the said tribes. And it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the state or territory where the offence may have been committed; and in like manner, if any robbery, violence, or murder, shall be committed on any Indian, or Indians, belonging to the said tribes, or either of them, the person or persons, so offending, shall be tried, and if found guilty, punished in the like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribes shall, to the utmost of their power, exert themselves to recover horses or other property which may be stolen from any citizen or citizens of the United States, by any individual, or individuals, of their tribes, and the property so recovered, shall be forthwith delivered to the superintendent or other person authorized to receive it, that it may be restored to the owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be obtained that such property was actually stolen by any Indian or Indians, belonging to the said tribes, or either of them, the United States may deduct from the annuity of the said tribes, a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians of the said tribes, a full indemnification for any horses or other property, which may be stolen from them by any of their citizens; provided that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States.

Art. 6. If any citizen of the United States, or other white person, should form a settlement upon lands which are the property of the Sac and Fox tribes, upon complaint being made thereof to the superintendent or other person having charge of the affairs of the Indians, such intruder shall forthwith be removed.

Art. 7. As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribes shall enjoy the privilege of living and hunting upon them.

Art. 8. As the laws of the United States, regulating trade and intercourse with the Indian tribes, are already extended to the country inhabited by the Saukes and Foxes, and as it is provided by those laws, that no person shall reside as a trader in the Indian country, without a license under the hand and seal

of the superintendent of Indian affairs, or other person appointed for the purpose by the president, the said tribes do promise and agree, that they will not suffer any trader to reside amongst them without such license; and that they will, from time to time, give notice to the superintendent, or to the agent for their tribes, of all the traders that may be in their country.

Notice to be given of traders.

Art. 9. In order to put a stop to the abuses and impositions which are practised upon the said tribes by the private traders, the United States will, at a convenient time, establish a trading house or factory, where the individuals of the said tribes can be supplied with goods at a more reasonable rate than they have been accustomed so procure them.

Trading house, or factory, to be established, &c. (Abrogated—see post, No. 5, of this chapter.)

Art. 10. In order to evince the sincerity of their friendship and affection for the United States, and a respectful deference for their advice, by an act which will not only be acceptable to them, but to the common Father of all the nations of the earth, the said tribes do hereby solemnly promise and agree, that they will put an end to the bloody war which has heretofore raged between their tribes and those of the Great and Little Osages. And for the purpose of burying the tomahawk and renewing the friendly intercourse between themselves and the Osages, a meeting of their respective chiefs shall take place, at which, under the direction of the above named commissioner, or the agent of Indian affairs residing at St. Louis, an adjustment of all their differences shall be made, and peace established upon a firm and lasting basis.

Adjustment of differences between the Sac and Foxes and the Great and Little Osages, under the direction of an agent of the United States.

Art. 11. As it is probable that the government of the United States will establish a military post at or near the mouth of the Ouiskonsing river, and as the land on the lower side of the river may not be suitable for that purpose, the said tribes hereby agree that a fort may be built either on the upper side of the Ouiskonsing, or on the right bank of the Mississippi, as the one or the other may be found most convenient, and a tract of land not exceeding two miles square shall be given for that purpose.

The tribes allow a fort to be built on the upper side of the Ouiskonsing, or, &c. and give a tract of land for the purpose.

And the said tribes do further agree, that they will at all times allow to traders and other persons travelling through their country, under the authority of the United States, a free and safe passage for themselves and their property of every description. And that for such passage they shall, at no time and on no account whatever, be subject to any toll or exaction.

A free and safe passage for traders and their property, &c.

Art. 12. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president by and with the advice and consent of the senate of the United States.

This treaty to take effect when ratified.

In testimony whereof, the said William Henry Harrison, and the chiefs and head men of the said Sac and Fox tribes, have hereunto set their hands and affixed their seals.

Done at Saint Louis, in the district of Louisiana, on the third day of November, one thousand eight hundred and four, and of the independence of the United States the twenty-ninth.

William Henry Harrison,	L. a.
Layauvois, or Laiyurva, his x mark,	L. a.
Pashepako, or the Giger, his x mark,	L. a.
Quashquame, or Jumping Fish, his x mark,	L. a.
Outchequaka, or Sun Fish, his x mark,	L. a.
Hahshequarhiqua, or the Bear, his x mark,	L. a.

In presence of (the words "a branch of the Illinois," in the third line of the second article, and the word "forever," in the fifth line of the same article, being first interlined)

Wm. Prince, *secretary to the commissioner,*
 John Griffin, *one of the judges of the Indiana territory,*
 J. Bruff, *maj. artillery U. S.*
 Amos Stoddard, *capt. corps artillery,*
 P. Chouteau,
 Vigo,
 S. Warrell, *lieut. U. States' artillery,*
 D. Delamay,
 Joseph Barron,
 Hypolite Bolen, his x mark, } *sworn interpreters.*

ADDITIONAL ARTICLE.

This treaty not to affect claims under Spanish grants, not included within the boundary, &c.

It is agreed, that nothing in this treaty contained shall affect the claim of any individual or individuals, who may have obtained grants of land from the Spanish government, and which are not included within the general boundary line laid down in this treaty,* provided that such grants have at any time, been made known to the said tribes and recognized by them.

Treaty with the Sacs of Missouri.

No. 2. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of that portion of the Sac nation of Indiana, now residing on the Missouri river, of the other part.

Desirous of fulfilling treaty with the U. S. separate from the rest of their tribe and remove to Missouri.

Whereas the undersigned chiefs and warriors, as well as that portion of the nation which they represent, have at all times been desirous of fulfilling their treaty with the United States, with perfect good faith; and for that purpose found themselves compelled since the commencement of the late war, to separate themselves from the rest of their nation and remove to the Missouri river, where they have continued to give proofs of their friendship and fidelity; And whereas the United States, justly appreciating the conduct of said Indians, are disposed to do them the most ample justice that is practicable; the said parties have agreed to the following articles:

* See the boundary line, ante, art. 2, No. 1, of this chapter.

Art. 1. The undersigned chiefs and warriors, for themselves and that portion of the Sacs which they represent, do hereby assent to the treaty between the United States of America, and the united tribes of Sacs and Foxes, which was concluded at St. Louis, on the third day of November, one thousand eight hundred and four; and they moreover promise to do all in their power to re-establish and enforce the same.

Confirm the treaty of 1804 with Sacs and Foxes. (Article, No. 1, of this chap.)

Art. 2. The said chiefs and warriors, for themselves and those they represent, do further promise to remain distinct and separate from the Sacs of Rock river, giving them no aid or assistance whatever, until peace shall also be concluded between the United States and the said Sacs of Rock river.

Promise to remain separate from the Sacs of Rock river, &c.

Art. 3. The United States on their part promise to allow the said Sacs of the Missouri river, all the rights and privileges secured to them by the treaty of St. Louis before mentioned, and also, as soon as practicable, to furnish them with a just proportion of the annuities stipulated to be paid by that treaty; provided they shall continue to comply with this and their former treaty.

All the privileges of the treaty before referred to, secured to the Sacs by the U. S.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid chiefs and warriors, have hereunto subscribed their names and affixed their seals, this thirteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the Independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Shumaga, or the lance, his x mark,
Weesaka, or the Devil, his x mark,
Catchemackesco, the big Eagle, his x mark,
Chekaqua, or he that stands by the tree, his x mark,
Katika, or the sturgeon, his x mark,
Mecaitch, or the eagle, his x mark,
Neshota, or the twin, his x mark,
Quashquammee, or the jumping fish, his x mark,
Chagasort, or the blues' son, his x mark,
Pecama, or the plumb, his x mark,
Namachewana Chaha, or the Sioux, his x mark,
Nanochaatasa, or the brave by Hazard.

Done at Portage des Sioux, in the presence of

H. Wash, *secretary of the commission,*
Thomas Levers, *lieutenant col. commanding 1st regt. I. T.*
P. Chouteau, *agent,*
T. Paul, *C. C. T.*
James B. Moore, *capt.*
Samuel Whiteside, *capt.*
J. W. Johnson, *U. S. factor and Ind. agent,*
Maurice Blondeaux,
Samuel Solomon, } *interpreters,*
Noel Mograine, }
Daniel Converie, *3d lieut.*

Treaty with
the Foxes.

No. 3. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states of the one part, and the undersigned king, chiefs and warriors of the Fox tribe or nation on the part and behalf of the said tribe or nation, of the other part.

Parties desirous of re-establishing peace.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

Injuries to be forgotten.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual peace established.

Art. 2. There shall be perpetual peace and friendship between the citizens of the United States of America, and all the individuals composing the said Fox tribe or nation.

All prisoners to be delivered up.

Art. 3. The contracting parties do hereby agree, promise and oblige themselves reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at fort Clark, on the Illinois river, to be by him restored to their respective nations as soon as it may be practicable.

Confirm the treaty of 1804. (Ante, No. 7, of this chap.)

Art. 4. The said Fox tribe or nation do hereby assent to, recognize, re-establish and confirm the treaty of St. Louis which was concluded on the third day of November, one thousand eight hundred and four, to the full extent of their interest in the same, as well as all other contracts and agreements between the parties; and the United States promise to fulfil all the stipulations contained in the said treaty in favor of the said Fox tribe or nation.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid king, chiefs and warriors of the Fox tribe or nation, aforesaid, have hereunto subscribed their names and affixed their seals this fourteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Pierremaskkin, the fox who walks crooked, his x mark,
Auckkatawagout, black cloud, his x mark,
Namasosanamet, he who surpasses all others, his x mark,
Waapaca, his x mark,
Mackkatananamakee, the black thunder, his x mark,
Pashchenene, the liar, his x mark,
Wapasai, the white skin, his x mark,
Catchacommu, big lake, his x mark,

Malasenkama, the war chief, his x mark,
 Kechaswa, the sun, his x mark,
 Mataqua, the medical woman, his x mark,
 Paquampa, the bear that sits, his x mark,
 Aquoqua, the kettle, his x mark,
 Nemargua, his x mark,
 Machenamau, the bad fish, his x mark,
 Pesotaka, the flying fish, his x mark,
 Mishecaqua, the hairy legs, his x mark,
 Capontwa, all at once, his x mark,
 Mowhinin, the wolf, his x mark,
 Omquo, his x mark,
 Wonakasa, the quick riser, his x mark,
 Nauatawaka, the scenting fox, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
 Thomas Levens, *lt. col. comdt. 1 regt. I. T.*
 P. Chouteau, *agent*,
 T. Paul, *C. C. T.*
 James B. Moore, *capt.*
 Samuel Whiteside, *capt.*
 Jno. W. Johnson, *U. S. factor and I. agent*,
 Maurice Blondeaux,
 Samuel Solomon, } *interpreters*,
 Noel Megraine, }
 Daniel Couverse, *3d lt.*

No. 4. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Sacs of Rock river and the adjacent country, of the other part.

Treaty with
the Sacs of
Rock river.

Whereas by the ninth article of the treaty of peace, which was concluded on the twenty-fourth day of December, eighteen hundred and fourteen, between the United States and Great Britain, at Ghent, and which was ratified by the president, with the advice and consent of the senate, on the seventeenth day of February, eighteen hundred and fifteen, it was stipulated that the said parties should severally put an end to all hostilities with the Indian tribes, with whom they might be at war, at the time of the ratification of said treaty; and to place the said tribes inhabiting their respective territories, on the same footing upon which they stood before the war: Provided, they should agree to desist from all hostilities against the said parties, their citizens or subjects respectively, upon the ratification of the said treaty being notified to them, and should so desist accordingly.

Reference to
9th art. of the
treaty of
peace with
Great Bri-
tain, ratified
17th Feb.
1815.

And whereas the United States being determined to execute every article of the treaty with perfect good faith, and wishing to be particularly exact in the execution of the article above alluded to, relating to the Indian tribes: The president, in consequence thereof, for that purpose, on the eleventh day of

U. States de-
termined to
act with good
faith, &c.

March, eighteen hundred and fifteen, appointed the undersigned William Clark, governor of Missouri territory, Ninian Edwards, governor of Illinois territory, and Auguste Chouteau, esq. of the Missouri territory, commissioners, with full power to conclude a treaty of peace and amity with all those tribes of Indians, conformably to the stipulations contained in the said article, on the part of the United States, in relation to such tribes.

Sacs of Rock river invited to a treaty, &c.

Invitation declined—hostilities continued.

Repentance, and disposition to make peace produced by chastisement, &c.

And whereas the commissioners, in conformity with their instructions in the early part of last year, notified the Sacs of Rock river, and the adjacent country, of the time of the ratification of said treaty; of the stipulations it contained in relation to them; of the disposition of the American government to fulfil those stipulations, by entering into a treaty with them, conformably thereto; and invited the said Sacs of Rock river, and the adjacent country, to send forward a deputation of their chiefs to meet the said commissioners at Portage des Sioux, for the purpose of concluding such a treaty as aforesaid, between the United States and the said Indians, and the said Sacs of Rock river, and the adjacent country, having not only declined that friendly overture, but having continued their hostilities, and committed many depredations thereafter, which would have justified the infliction of the severest chastisement upon them; but having earnestly repented of their conduct, now imploring mercy, and being anxious to return to the habits of peace and friendship with the United States; and the latter being always disposed to pursue the most liberal and humane policy towards the Indian tribes within their territory, preferring their reclamation by peaceful measures, to their punishment, by the application of the military force of the nation—Now, therefore,

The said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the undersigned chiefs and warriors, as aforesaid, for the purpose of restoring peace and friendship between the parties, do agree to the following articles:

Treaty of 1804 confirmed. (Ante, No. 1, of this comp.)

Art. 1. The Sacs of Rock river, and the adjacent country, do hereby unconditionally assent to recognize, re-establish, and confirm the treaty between the United States of America and the united tribes of Sacs and Foxes, which was concluded at St. Louis, on the third day of November, one thousand eight hundred and four; as well as all other contracts and agreements, heretofore made between the Sac tribe or nation, and the United States.

Sacs to be placed on same footing as before the war, provided the

Art. 2. The United States agree to place the aforesaid Sacs of Rock river, on the same footing upon which they stood before the war; provided they shall, on or before the first day of July next, deliver up to the officer commanding at cantonment

Davis, on the Mississippi, all the property they, or any part of their tribe, have plundered or stolen from the citizens of the United States, since they were notified, as aforesaid, of the time of the ratification of the late treaty between the United States and Great Britain.

Art. 3. If the said tribe shall fail or neglect to deliver up the property aforesaid, or any part thereof, on or before the first day of July aforesaid, they shall forfeit to the United States all right and title to their proportion of the annuities which, by the treaty of St. Louis, were covenanted to be paid to the Sac tribe; and the United States shall forever afterwards be exonerated from the payment of so much of said annuities as, upon a fair distribution, would fall to the share of that portion of the Sacs who are represented by the undersigned chiefs and warriors.

Art. 4. This treaty shall take effect and be obligatory on the contracting parties, unless the same shall be disapproved by the president and senate of the United States, or by the president only: and in the mean time all hostilities shall cease from this date.

In testimony whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto set their hands and affixed their seals, this thirteenth day of May, one thousand eight hundred and sixteen.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Anowat, or the One who speaks, his x mark,
Namawenanu, or Sturgeon Man, his x mark,
Nasawarku, or the Forks, his x mark,
Namatchesa, or the Jumping Sturgeon, his x mark,
Matchequawa, the Bad Axe, his x mark,
Mashco, or Young Eagle, his x mark,
Aquaosa, or a Lion coming out of the Water, his x mark,
Muckutamachekaka, or Black Sparrow Hawk, his x mark,
Poinaketa, or the Cloud that don't stop, his x mark,
Mealeseta, or Bad Weather, his x mark,
Anawashqueth, the Bad Root, his x mark,
Wasckenequa, or Sharp-faced Bear, his x mark,
Sakectoo, or the Thunder that Frightens, his x mark,
Warpaloka, or the Rumbling Thunder, his x mark,
Kemaloshia, or the Swan that flies in the Rain, his x mark,
Paschekomack, or the Swan that flies low, his x mark,
Keotashaka, or the Running Partridge, his x mark,
Wapalomo, or the White Wolf, his x mark,
Caakupwa, or the Swan whose wings crack when he flies, his x mark,
Napetaka, or he who has a Swan's throat around his neck, his x mark,
Mashashe, or the Fox, his x mark,
Wapamukqua, or the White Bear, his x mark.

St. Louis. May 13th, 1816, Done in the presence of

R. Wash, secretary to the commission,

E. Paul, C. T. of the C.
J. Bt. Caron,
Samuel Solomon, } *interpreters,*
Joshua Norvell, Judge Ado. M. M.
Joseph Perkins,
Joseph Charles,
B. G. Tavar,
Charles Wm. Hunter,
Cerre,
M. La Croix,
Gayol de Guirano,
Boon Ingels,
Moses Scott,
James Sawyer.

Treaty with
the Sacs and
Foxes.

No. 5. Articles of a treaty entered into and concluded at fort Armstrong, by and between Thomas Forsyth, agent of Indian affairs, authorized on the part of the United States for that purpose, of the one part, and the chiefs, warriors, and head men, of the united Sac and Fox tribes, for themselves and their tribes, of the other part.

Ninth article
of the treaty of
3d November,
1804, abrogat-
ed for the con-
sideration of
1000 dollars
paid in mer-
chandise.

Whereas by the ninth article of the treaty made and entered into between the United States and the Sac and Fox tribes of Indians, concluded and signed at Saint Louis, in the district of Louisiana, on the third day of November, one thousand eight hundred and four, it is stipulated, in order to put a stop to the abuses and impositions which are practised upon the said tribes by the private traders, the United States will, at a convenient time, establish a trading house or factory, where the individuals of the said tribes can be supplied with goods at a more reasonable rate than they have been accustomed to procure them. Now, we, the said chiefs, warriors, and head men of the said tribes, for and in consideration of the sum of one thousand dollars to us, now paid in merchandise out of the United States' factory, by said Thomas Forsyth, on behalf of the United States, the receipt whereof is hereby acknowledged, do exonerate, release, and forever discharge, the United States from the obligation contained in the said ninth article above recited, and the aforesaid ninth article is, from the date hereof, abrogated and of no effect.

In witness whereof, the said Thomas Forsyth, and the chiefs, warriors, and head men, of the Sac and Fox tribes, have hereunto set their hands, and affixed their seals, this third day of September, in the year of our Lord one thousand eight hundred and twenty-two.

Thomas Forsyth, *United States' Indian agent.*
 Pushee Paho, his x mark,
 Quash Quammee, his x mark,
 Nesowakee, his x mark,
 Keecocuck, his x mark,
 Wapulla, his x mark,
 Themuc, his x mark,

Mucathaanickee, his x mark,
Nolo, his x mark.

In the presence of

S. Burbeck, major *United States' army*,
P. Wraig, *assistant surgeon United States' army*,
J. M. Baxley, *lieutenant 5th infantry*,
George Davenport,
Samuel C. Muir,
John Connelly,
Louis Betelle, *interpreter*.

No. 6. To perpetuate peace and friendship between the United States and the Sock and Fox tribes or nations of Indians, and to remove all future cause of dissensions which may arise from undefined territorial boundaries, the president of the United States of America, by William Clark, superintendent of Indian affairs, and sole commissioner specially appointed for that purpose, of the one part, and the undersigned chiefs and head men of the Sock and Fox tribes or nations, fully deputed to act for and in behalf of their said nations, of the other part, have entered into the following articles and conditions, viz:

*Treaty with
the Sock and
Fox tribes of
Indians.*

Art. 1. The Sock and Fox tribes or nations of Indians, by their deputations in council assembled, do hereby agree, in consideration of certain sums of money, &c. to be paid to the said Sock and Fox tribes, by the government of the United States, as hereinafter stipulated, to cede and for ever quit claim, and do, in behalf of their said tribes or nations, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, interest, and claim, to the lands which the said Sock and Fox tribes have, or claim, within the limits of the state of Missouri, which are situated, lying, and being, between the Mississippi and Missouri rivers, and a line running from the Missouri, at the entrance of Kansas river, north one hundred miles to the northwest corner of the state of Missouri, and from thence east to the Mississippi. It being understood, that the small tract of land lying between the rivers Desmoin and the Mississippi, and the section of the above line between the Mississippi and the Desmoin, is intended for the use of the half-breeds belonging to the Sock and Fox nations; they holding it, however, by the same title, and in the same manner, that other Indian titles are held.

*Agreements
entered into by
said tribes.*

Art. 2. The chiefs and head men who sign this convention, for themselves and in behalf of their tribes, do acknowledge the lands east and south of the lines described in the first article, so far as the Indians claimed the same, to belong to the United States, and that none of their tribes shall be permitted to settle or hunt upon any part of it, after the first day of January, 1826, without special permission from the superintendent of Indian affairs.

*Lands ceded,
&c.*

Annuities, &c. *Art. 2.* It is hereby stipulated and agreed, on the part of the United States, as a full consideration for the claims and lands ceded by the Sock and Fox tribes in the first article, there shall be paid to the Sock and Fox nations, within the present year, one thousand dollars in cash, or merchandise; and in addition to the annuities stipulated to be paid to the Sock and Fox tribes by a former treaty, the United States do agree to pay to the said Sock tribe, five hundred dollars, and to the Fox tribe five hundred dollars, annually, for the term of ten succeeding years; and, at the request of the chiefs of the said Sock and Fox nations, the commissioner agrees to pay to Maurice Blondeau, a half Indian of the Fox tribe, the sum of five hundred dollars, it being a debt due by the said nation to the aforesaid Blondeau, for property taken from him during the late war.

Assistance to be rendered them.

Art. 4. The United States engage to provide and support a blacksmith for the Sock and Fox nations, so long as the president of the United States may think proper, and to furnish the said nations with such farming utensils and cattle, and to employ such persons to aid them in their agriculture, as the president may deem expedient.

Payment of the annuities.

Art. 5. The annuities stipulated to be paid by the 3d article, are to be paid either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid tribes, and when the said annuities or part thereof is paid in merchandise, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation.

Said treaty to be obligatory when ratified.

Art. 6. This treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said William Clark, commissioner as aforesaid, and the chiefs and head men of the Sock and Fox tribes of Indians as aforesaid, have hereunto set their hands, at Washington City, this fourth day of August, in the year of our Lord one thousand eight hundred and twenty-four.

William Clark,

l. s.

SOCKS.

Pah-sha-pa-ha, or Stubbs, his x mark,	l. s.
Kah-kee-kai-maik, or All Fish, his x mark,	l. s.
Wash-kee-chai, or Crouching Eagle, his x mark,	l. s.
Kee-o-kuck, or Watchful Fox, his x mark,	l. s.
Kah-kee-kai-maik, or All Fish, his x mark,	l. s.
Sah-col-o-quoit, or Rising Cloud, his x mark,	l. s.

FOXES.

Fai-mah, or the Bear, his x mark,	l. s.
Ka-pol-e-qua, or White Nosed Fox, his x mark,	l. s.

Peca-mash-ka, or the Fox winding his horn,	}	l. s.
his x mark,		
Kee-she-swa, or the Sun, his x mark,		l. s.

Witnesses at signing:

Thomas L. McKenney,
 Law. Taliaferro, *Indian agent at St. Peter's.*
 G. W. Kennerly, *Indian agent,*
 A. Baronet Vesques, *acting S. I. A. and int.*
 Maurice Blondeau,
 L. T. Honore,
 Jno. W. Johnson,
 Meriwether Lewis Clark,
 Noal Dashnaw.

CHAPTER XII.

Treaties with the Great and Little Osage nations of Indians.

No. 1. Articles of a treaty made and concluded at fort Clark, on the right bank of the Missouri, about five miles above the Fire Prairie, in the territory of Louisiana, the tenth day of November, in the year of our Lord one thousand eight hundred and eight, between Peter Chouteau, esquire, agent for the Osage, and specially commissioned and instructed to enter into the same, by his excellency Meriwether Lewis, governor and superintendent of Indian affairs for the territory aforesaid, in behalf of the United States of America, of the one part, and the chiefs and warriors of the Great and Little Osage, for themselves and their nations respectively, on the other part.

Art. 1. The United States being anxious to promote peace, friendship, and intercourse, with the Osage tribes, to afford them every assistance in their power; and to protect them from the insults and injuries of other tribes of Indians, situated near the settlements of the white people, have thought proper to build a fort on the right bank of the Missouri, a few miles above the Fire Prairie, and do agree to garrison the same with as many regular troops as the president of the United States may, from time to time, deem necessary for the protection of all orderly, friendly, and well disposed Indians of the Great and Little Osage nations who reside at this place, and who do strictly conform to, and pursue the counsels or admonitions of the president of the United States through his subordinate officers.

Art. 2. The United States being also anxious that the Great and Little Osage, resident as aforesaid, should be regularly supplied with every species of merchandise, which their comfort may hereafter require, do engage to establish at this place, and permanently to continue at all seasons of the year, a well assorted store of goods, for the purpose of bartering with them, on moderate terms, for their peltries and furs.

Art. 3. The United States agree to furnish, at this place, for the use of the Osage nations, a blacksmith, and tools to mend

Peace, friendship, protection, &c. for the Osages.

A fort on the right bank of Missouri to be garrisoned.

The U. S. to establish a store of goods for barter. (Abrogated—see post, No. 4, of this chapter.)

A blacksmith, &c. for the Osages.

A horse mill,
&c.
Block houses
for the Osage.

The U. S. to
pay for Osage
depredations
to the amount
of \$5,000.

For the lands
relinquished
by the Osages
in the 6th art.
(below,) the
U. S. to deliver,
yearly,
\$1,000 worth
of merchandise
to the
Great, and
\$500 worth
to the Little,
Osages.

\$1,900 paid
before signature
to this
treaty.

In consideration
of the stipulated
advantages to
the Osages,
they agree to
the boundary
line herein
described.

A further
tract ceded to
embrace fort
Clark.

Boundary line
to be run at
the expense
of the United
States.

Four Osage
chiefs to attend.

their arms and utensils of husbandry, and engage to build them a horse mill, or water mill; also to furnish them with ploughs, and to build for the great chief of the Great Osage, and for the great chief of the Little Osage, a strong block house in each of their towns, which are to be established near this fort.

Art. 4. With a view to quiet the animosities which at present exist between the inhabitants of the territory of Louisiana, and the Osage nations, in consequence of the lawless depredations of the latter, the United States do further agree to pay to their own citizens, the full value of such property as they can legally prove to have been stolen or destroyed by the said Osage, since the acquisition of Louisiana by the United States, provided the same does not exceed the sum of five thousand dollars.

Art. 5. In consideration of the lands relinquished by the Great and Little Osage to the United States, as stipulated in the sixth article of this treaty, the United States promise to deliver at Fire Prairie, or at St. Louis, yearly, to the Great Osage nation, merchandise to the amount or value of one thousand dollars, and to the Little Osage nation merchandise to the amount or value of five hundred dollars, reckoning the value of said merchandise at the first cost thereof, in the city or place in the United States where the same shall have been procured.

And in addition to the merchandise aforesaid, the United States have, at and before the signature of these articles, paid to the Great Osage nation the sum of eight hundred dollars, and to the Little Osage nation the sum of four hundred dollars.

Art. 6. And in consideration of the advantages which we derive from the stipulations contained in the foregoing articles, we, the chiefs and warriors of the Great and Little Osage, for ourselves and our nations respectively, covenant and agree with the United States, that the boundary line between our nations and the United States shall be as follows, to wit: beginning at fort Clark, on the Missouri, five miles above Fire Prairie, and running thence a due south course to the river Arkansas, and down the same to the Mississippi, hereby ceding and relinquishing forever to the United States, all the lands which lie east of the said line, and north of the southwardly bank of the said river Arkansas, and all lands situated northwardly of the river Missouri. And we do further cede and relinquish to the United States forever, a tract of two leagues square, to embrace fort Clark, and to be laid off in such manner as the president of the United States shall think proper.

Art. 7. And it is mutually agreed by the contracting parties, that the boundary lines hereby established shall be run and marked at the expense of the United States, as soon as circumstances or their convenience will permit; and the Great and Little Osage promise to depute two chiefs from each of their respective nations, to accompany the commissioner or

commissioners who may be appointed on the part of the United States, to settle and adjust the said boundary line.

Art. 8. And the United States agree, that such of the Great and Little Osage Indians as may think proper to put themselves under the protection of fort Clark, and who observe the stipulations of this treaty with good faith, shall be permitted to live and to hunt, without molestation, on all that tract of country west of the north and south boundary line on which they, the said Great and Little Osage, have usually hunted or resided; provided the same be not the hunting grounds of any nation or tribe of Indians in amity with the United States; and on any other lands within the territory of Louisiana, without the limits of the white settlements, until the United States may think proper to assign the same as hunting grounds to other friendly Indians.

The Osages under the protection of fort Clark, &c. may live and hunt on the tract herein mentioned; and other lands, &c.
 Proviso: as to hunting rights of other Indians.

Art. 9. Lest the friendship which is now established between the United States and the said Indian nations, should be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made by the party injured to the other, by the said nations, or either of them, to the superintendent or other person appointed by the president to the chiefs of the said nation; and it shall be the duty of the said chiefs, upon complaints being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the state or territory where the offence may have been committed; and in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to either of said nations, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the Great and Little Osage shall, to the utmost of their power, exert themselves to recover horses, or other property which may be stolen from any citizen or citizens of the United States, by any individual or individuals of either of their nations; and the property so recovered shall be forthwith delivered to the superintendent, or other person authorized to receive it, that it may be restored to the proper owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be adduced that such property was actually stolen by any Indian or Indians belonging to the said nation, or either of them, the superintendent, or other proper officer, may deduct from the annuity of the said nations, respectively, a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians, of the said nations, respectively, a full indemnification for any

Revenge for private injuries, prohibited.

Complaint, in case of injuries.

Indians offending, to be delivered up for punishment.

Robbery, murder, &c. of Osage Indians, punished as if perpetrated on white men.

Osage chiefs to exert themselves to recover stolen horses, &c. which are to be restored.

The value of stolen property, not recovered and restored, to be deducted, on proof, from annuity.

Guarantee of indemnification.

tion for property stolen from the Osages by citizens.

Osages to deliver resident white men on demand.

The Osages in friendship with, and under the protection of, the U. S. and disclaim all right to sell lands, without the consent of the United States.

Persons passing over the boundary lines (see ante, art. 6,) without license, may be apprehended by the Osages.

Osages not to supply unfriendly Indians with implements of war.

This treaty to take effect when ratified.

horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said nations of the Great and Little Osage engage, on the requisition or demand of the president of the United States, or of the superintendent, to deliver up any white man resident among them.

Art. 10. The United States receive the Great and Little Osage nations into their friendship, and under their protection; and the said nations, on their part, declare that they will consider themselves under the protection of no other power whatsoever; disclaiming all right to cede, sell, or in any manner transfer, their lands to any foreign power, or to citizens of the United States, or inhabitants of Louisiana, unless duly authorized by the president of the United States to make the said purchase, or accept the said cession on behalf of the government.

Art. 11. And if any person or persons, for hunting or other purpose, shall pass over the boundary lines, as established by this treaty, into the country reserved for the Great and Little Osage nations, without the license of the superintendent or other proper officer, they, the said Great and Little Osage, or either of them, shall be at liberty to apprehend such unlicensed hunters or other persons, and surrender them, together with their property, but without other injury, insult, or molestation, to the superintendent of Indian affairs, or to the agent nearest the place of arrest, to be dealt with according to law.

Art. 12. And the chiefs and warriors as aforesaid, promise and engage, that neither the Great nor Little Osage nation will ever, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunitions, or other implements of war.

Art. 13. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said Peter Chouteau, commissioned and instructed as aforesaid, and the chiefs and warriors of the Great and Little Osage nation of Indians, have hereunto set their hands and affixed their seals.

Done at fort Clark, the day above mentioned.

P. Chouteau,

E. B. Clemson, *capt. first regiment infantry,*

L. Lorimer, *lieut. first regiment infantry,*

Reazen Lewis, *sub. agt. in. affairs,*

Papuisca, the grand chief of the Big Osage, his x mark,

Nichu Malli, the grand chief of the Little Osage, his x mark,

Voithe Voihe, the second chief of the Big Osage, his x mark,

Voithe Chinga, the second chief of the Little Osage, his x mark,

l. s.
l. s.
l. s.
l. s.
l. s.
l. s.
l. s.

Ta Voingare, the little chief of the Big Osage, his x mark,	1. s.
Osogabe, the little chief of the Little Osage, his x mark,	1. s.
Voichinodhe, the little chief of the Big Osage, his x mark,	1. s.
Voi Nache, the little chief of the Little Osage, his x mark,	1. s.
Voi Nonpache, the little chief of the Big Osage, his x mark,	1. s.
Quihi Ramaki, the little chief of the Little Osage, his x mark,	1. s.
Voi Nache, the little chief of the Big Osage, his x mark,	1. s.
Ponla Voitasuga, the little chief of the Little Osage, his x mark,	1. s.
Caygache, the little chief of the Big Osage, his x mark,	1. s.
Pahuroguesie, the little chief of the Little Osage, his x mark,	1. s.
Miaasa, the little chief of the Big Osage, his x mark,	1. s.
Manjaguida, the little chief of the Little Osage, his x mark,	1. s.
Mantaia, the little chief of the Big Osage, his x mark,	1. s.
Nicagaria, the little chief of the Big Osage, his x mark,	1. s.
Dogachinga, the little chief of the Big Osage, his x mark,	1. s.
Tavaingare, the little chief of the Little Osage, his x mark,	1. s.
Tavainthere, the little chief of the Big Osage, his x mark,	1. s.
Naguemani, the war chief of the Big Osage, his x mark,	1. s.
Nicanauthe, the war chief of the Little Osage, his x mark,	1. s.
Chonmelase, the war chief of the Big Osage, his x mark,	1. s.
Nenonbas, the war chief of the Little Osage, his x mark,	1. s.
The Pograngue, the war chief of the Big Osage, his x mark,	1. s.
The Cayque, warrior, L. O. his x mark,	1. s.
Nonpevoite, do. B. O. his x mark,	1. s.
Vesasache, do. L. O. his x mark,	1. s.
Tonchenanque, do. B. O. his x mark,	1. s.
Caygache, do. L. O. his x mark,	1. s.
Lihibi, do. B. O. his x mark,	1. s.
Grinache, do. L. O. his x mark,	1. s.
Ni Couil Bran, do. B. O. his x mark,	1. s.
Chonnonsoque, do. L. O. his x mark,	1. s.
Lisansandhe, do. B. O. his x mark,	1. s.
Mequaque, do. L. O. his x mark,	1. s.
Manhegare, do. B. O. his x mark,	1. s.
Megahe, do. L. O. his x mark,	1. s.
Meyhe, do. B. O. his x mark,	1. s.
Nudhetavoi, do. L. O. his x mark,	1. s.
Thecayque, do. B. O. his x mark,	1. s.
Voitascan, do. L. O. his x mark,	1. s.
Cabapiche, do. B. O. his x mark,	1. s.
Manhevoi, do. L. O. his x mark,	1. s.
Talechiga, do. B. O. his x mark,	1. s.
Pedhechiga, do. L. O. his x mark,	1. s.
Cheganonsas, do. B. O. his x mark,	1. s.
Nesaque, do. L. O. his x mark,	1. s.
Lolechinga, do. B. O. his x mark,	1. s.
Panervoiguanda, do. L. O. his x mark,	1. s.
Tavoinhihi, do. B. O. his x mark,	1. s.
Mithechinga, do. L. O. his x mark,	1. s.
Voidhenactie, do. B. O. his x mark,	1. s.
Manquesi, do. L. O. his x mark,	1. s.
Chingavoias, do. B. O. his x mark,	1. s.
Talevoile, do. L. O. his x mark,	1. s.
Voiengran, do. B. O. his x mark,	1. s.
Scamani, do. L. O. his x mark,	1. s.
Nura Hague, do. B. O. his x mark,	1. s.
Me Chinga, do. L. O. his x mark,	1. s.
Pachigue, little chief, B. O. his x mark,	1. s.
Rouda Nique, warrior, L. O. his x mark,	1. s.
Ne Paste, do. B. O. his x mark,	1. s.
Voibisandhe, do. L. O. his x mark,	1. s.
Nehi Zanga, do. B. O. his x mark,	1. s.

Nehudhe, warrior, L. O. his x mark,	1 a.
The Pagranque, do. B. O. his x mark,	1 a.
Chabetonga, do. L. O. his x mark,	1 a.
Manguepee Mani, do. B. O. his x mark,	1 a.
Voi Baluac, do. L. O. his x mark,	1 a.
Ponea Voitaniga, do. B. O. his x mark,	1 a.
Tsalondhe, do. L. O. his x mark,	1 a.
Nendolaguakui, warrior, B. O. his x mark,	1 a.
Manguepu Mani, L. O. his x mark,	1 a.
Ni Conil Bran, do. B. O. his x mark,	1 a.
Voi Bahe, do. L. O. his x mark,	1 a.
Onhehoman, do. B. O. his x mark,	1 a.
Nuranin, do. L. O. his x mark,	1 a.
Noguini layque, do. B. O. his x mark,	1 a.
Nanlatoho, do. L. O. his x mark,	1 a.
Bashemindhe, do. B. O. his x mark,	1 a.
Savoi, do. L. O. his x mark,	1 a.
Chouquemnon, do. B. O. his x mark,	1 a.
Mandarihi, do. L. O. his x mark,	1 a.
Manilourana, do. B. O. his x mark,	1 a.
Nequevoile, do. L. O. his x mark,	1 a.
Chonguehanga, do. B. O. his x mark,	4 s.
Ponlachinga, do. L. O. his x mark,	1 a.
Aguigueda, do. B. O. his x mark,	1 a.
Manjaguida, do. L. O. his x mark,	1 a.
Voidoguega, do. B. O. his x mark,	1 a.
The Sindhe, do. L. O. his x mark,	1 s.
Ninchagari, do. B. O. his x mark,	1 s.
Voihadani, do. L. O. his x mark,	1 a.
Voigaspache, do. B. O. his x mark,	1 s.
Manyvoile, do. L. O. his x mark,	1 a.
Quinihonigue, do. B. O. his x mark,	1 s.
Nognithe Chinga, do. L. O. his x mark,	1 a.
Natanhi, do. B. O. his x mark,	1 s.
Miasa, do. L. O. his x mark,	1 a.
Ousabe, do. B. O. his x mark,	1 s.
Voichinouth, do. L. O. his x mark,	1 a.
Amanpasse, do. B. O. his x mark,	1 a.
Cutsagabe, do. L. O. his x mark,	1 a.
Channahon, do. B. O. his x mark,	1 a.
Non Basocri, do. L. O. his x mark,	1 a.
Voichougras, do. B. O. his x mark,	1 a.
Pedhechinga, do. L. O. his x mark,	1 a.
Bassechinga, do. B. O. his x mark,	1 a.

The band of
Osages resi-
ding on the
Arkansas, ac-
cede to the
foregoing
treaty.

We, the undersigned chiefs and warriors of the band of Osages, residing on the river Arkansas, being a part of the Great Osage nation, having this day had the foregoing treaty read and explained to us, by his excellency Meriwether Lewis, esquire, do hereby acknowledge, consent to, and confirm all the stipulations therein contained, as fully and as completely as though we had been personally present at the signing, sealing, and delivering the same on the 10th day of November, 1808, the same being the day on which the said treaty was signed, sealed, and delivered, as will appear by a reference thereto.

In witness whereof, we have, for ourselves and our band of the Great Osage nation residing on the river Arkansas. hereunto set our hands and affixed our seals.

Done at St. Louis, in the territory of Louisiana, this thirty-first day of August, in the year of our Lord one thousand eight hundred and nine, and of the independence of the United States the thirty-fourth.

Gresdanmanes, or Clermond, first chief, his x mark,	l. s.
Couchesigres, or Big Tract, second chief, his x mark,	l. s.
Tales, or Straiting Deer, son of Big Tract, his x mark,	l. s.
Aukickawakho, nephew of Big Tract, his x mark,	l. s.
Wachawahih, his x mark,	l. s.
Pahelagren, or Handsome Hair, his x mark,	l. s.
Hombahagren, or Fine Day, his x mark,	l. s.
Harachabe, or the Eagle, his x mark,	l. s.
Hrulahie, or Pipe Bird, his x mark,	l. s.
Tawangahuh, or Builder of Towns, his x mark,	l. s.
Honencache, or the Terrible, his x mark,	l. s.
Talahu, or Deer's Pluck, his x mark,	l. s.
Cahigiagveh, or Good Chief, his x mark,	l. s.
Baughoughcheh, or Cutter, his x mark,	l. s.
Basonchinga, or Little Pine, his x mark,	l. s.

In presence of us, and before signature attached to the original:

John G. Comegys,
George Man,
John W. Honey,
Samuel Solomon, jun.
John P. Gates, *interpreter*,
Noel Mongrain Marque, *Indian interpreter*,
Bazil Nassier Marque, *Indian interpreter*.

No. 2. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned king, chiefs and warriors of the Great and Little Osage tribes or nations, on part and behalf of their said tribes or nations, of the other part. Treaty with the Osages.

The parties being desirous of re-establishing peace and friendship between the United States, and the said tribes or nations, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles: Parties desirous of re-establishing peace.

Art. 1. Every injury or act of hostility by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot. Injuries to be mutually forgiven.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Osage tribes or nations. Perpetual peace and friendship established.

Art. 3. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract and agreement heretofore concluded between the United States, and the said Osage tribes or nations. All former treaties recognized and confirmed.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as afore-

said, and the king, chiefs, and warriors of the said tribes or nations have hereunto subscribed their names and affixed their seals, this twelfth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Teshuhinga, or white hair, his x mark,
Caygaywachepeche, or the bad chief, his x mark,
Couchestawasta, or the one who sees far, his x mark,
Gradamansa, or iron kite, his x mark,
Mahsa, his x mark,
Wanougypacha, or he who fears not, his x mark;
Hurate, the piper bird, his x mark,
Wasabatougga, big bear, his x mark,
Nekagahre, he who beats the men, his x mark,
Mekewatanega, he who carries the sun, his x mark,
Nangawahages, his x mark,
Kemanha, the wind racer of the Arkinsaw band, his x mark.

THE LITTLE OSAGES.

Caggatanagga, the great chief, his x mark,
Nechoumanu, the walking rain, his x mark,
Watashinga, he who has done little, his x mark,
Nehujamega, without ears, his x mark,
Osooshingga, the little point, his x mark,
Akidatangga, the big soldier, his x mark,
Wabesongge, his x mark,
Nehreegnegawachepecha, his x mark,
Gretnachee, he who arrives, his x mark,
Wahadanoe, of the Missouri tribe, his x mark,
Asooga, the little horn, his x mark,
Mathagriira, the cutter, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary of the commission*,
Thomas Levers, *lieut. col. commanding 1st regt. I. T.*
P. Chouteau, *agent Osages*,
T. Paul, *C. C. T.*
James B. Moore, *capt.*
Samuel Whiteside, *capt.*
Jno. W. Johnson, *U. S. factor and Indian agent*,
Maurice Blondeaux,
Samuel Solomon, } *Interpreters*,
Noel Mognaine, }
P. L. Chouteau,
Daniel Couverie, *3d lieut.*

Treaty with
the Osage.

No. 3. A treaty made and concluded by and between William Clark, governor of the Missouri Territory, superintendent of Indian affairs, and commissioner in behalf of the United States, of the one part; and a full and complete deputation of considerate men, chiefs, and warriors, of all the several bands of the Great and Little Osage nation, assembled in behalf of their said nation, of the other part; have agreed to the following articles:

The Osages
embarrassed
by demands

Art. 1. Whereas the Osage nations have been embarrassed by the frequent demands for property taken from the citizens of

the United States, by war parties, and other thoughtless men of their several bands, (both before and since their war with the Cherokees,) and as the exertions of their chiefs have been ineffectual in recovering and delivering such property, conformably with the condition of the ninth article of a treaty entered into with the United States, at fort Clark, the tenth of November, one thousand eight hundred and eight;* and as the deductions from their annuities, in conformity to the said article, would deprive them of any for several years, and being destitute of funds to do that justice to the citizens of the United States which is calculated to promote a friendly intercourse, they have agreed, and do hereby agree, to cede to the United States, and forever quit claim to, the tract of country included within the following bounds, to wit: Beginning at the Arkansaw river, at where the present Osage boundary line strikes the river at Frog Bayou; then up the Arkansaw and Verdigris, to the falls of Verdigris river; thence, eastwardly, to the said Osage boundary line, at a point twenty leagues north from the Arkansaw river; and, with that line, to the place of beginning.

of payment for property plundered by their war parties and others of their bands.

(*Ante, No. 1, of this chap.)

Cede to the U. S. a tract of country.

Art. 2. The United States, on their part, and in consideration of the above cession, agree, in addition to the amount which the Osage do now receive in money and goods, to pay their own citizens the full value of such property as they can legally prove to have been stolen or destroyed by the said Osage, since the year one thousand eight hundred and fourteen: provided the same does not exceed the sum of four thousand dollars.

The U. S. to pay losses proved to have been sustained by citizens, since 1814, amounting to \$4,000.

Art. 3. The articles now stipulated will be considered as permanent additions to the treaties, now in force, between the contracting parties, as soon as they shall have been ratified by the president of the United States of America, by and with the advice and consent of the senate of the said United States.

These articles when ratified, permanent additions to treaties in force.

In witness whereof, the said William Clark, commissioner as aforesaid, and the considerate men and chiefs aforesaid, have hereunto subscribed their names, and affixed their seals, at St. Louis, this twenty-fifth day of September, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-third.

William Clark,
Canlenonpe, his x mark,
Voibatice, his x mark,
Thebonache, his x mark,
Chonqueauga, his x mark,
Voipoqua, his x mark,
Mannansoudhe, his x mark,
Nequivoire, his x mark,
Nantagregre, his x mark,
Manshepogran, his x mark,
Pachique, his x mark,
Tacindhe, his x mark,

Voiletonchings, his x mark,
 Voisabevoiquanddague, his x mark,
 Nanchache, his x mark,
 Thequalanan, his x mark,
 Theoucoudhe, his x mark,
 Nihecounache, his x mark,
 Voidenache, his x mark,
 Conchestavoilla, his x mark,
 Naquidatonga, his x mark,
 Voitanigau, his x mark,
 Huquevoire, his x mark,
 Hurathi, his x mark,
 Houneagon, or the Gentleman, his x mark,
 Hoquithevoico, his x mark,
 Voiscaudhe, his x mark,
 Thédocavoichipiche, his x mark,
 Voithevoihe, his x mark,
 Mitaniga, his x mark,
 Thecanique, his x mark,
 Voibisonthe, his x mark,
 Nicananthevoire, his x mark,
 Honhonquecon, his x mark,
 Tanhemonny, his x mark,
 Sandhecaan, his x mark,
 Pahesaw, or the White Hair, his x mark,
 Kohesegre, or the Great Tract, his x mark,
 Njehenmancee, or the Walking Rain, his x mark,
 Tadhessjaudesor, or the Wind, his x mark,
 Nihuedheque, or Sans Oreillez, his x mark,
 Caniquechaga, or the Little Chief, his x mark,
 Grinachie, or the Sudden Appearance, his x mark,
 Voinasache, or the Raised Scalp, his x mark,
 Dogachiga, his x mark,
 Tahschiga, his x mark.

Signed, sealed, and delivered, in the presence of

Pierre Chouteau,
 Pierre Menard, *Ind. agent*,
 John Ruland, *sub-agent*,
 P. L. Chouteau, *interpreter*,
 Paul Loise, *interpreter Osage*,
 I. T. Honore, *Indian interpreter*,
 Meriwether Lewis Clark.

Treaty with
 the Osage.

No. 4. Articles of a treaty, entered into and concluded at the United States' factory on the M. De Cigue Augt. by and between Richard Graham, agent of Indian affairs, authorized on the part of the United States for that purpose, and the chiefs, warriors, and head men, of the tribes of Great and Little Osage Indians, for themselves and their respective tribes, of the other part.

The second
 article of the
 treaty of 10th
 Nov. 1808,
 abrogated,
 for the con-
 sideration of

Whereas, by the second article of the treaty made and entered into between the United States and the Great and Little Osage nations of Indians, concluded and signed at fort Clark, on the Missouri, on the tenth day of November, one thousand eight hundred and eight, * it is stipulated that the United States

*See ante, No. 1, art. 2, of this chapter.

shall establish at that place, and permanently continue, at all seasons of the year, a well assorted store of goods, for the purpose of bartering with them on moderate terms for their peltries and furs: now, we, the said chiefs, warriors, and head men, in behalf of our said tribes, for and in consideration of two thousand three hundred and twenty-nine dollars and forty cents, to us now paid in merchandise, out of the United States' factory, by said Richard Graham, on behalf of the United States, the receipt whereof is hereby acknowledged, do exonerate, release, and forever discharge, the United States from the obligation contained in the said second article above mentioned; and the aforesaid second article is, from the date hereof, abrogated and of no effect.

In witness whereof, the said Richard Graham and the chiefs, warriors, and head men, of the Great and Little Osage tribes, have hereunto set their hands and affixed their seals, this thirty-first day of August, in the year of our Lord one thousand eight hundred and twenty-two.

R. Graham,
 Pahuska, x or White Hair, head chief B. O.
 Neshumoiny x, or Walk in Rain, head chief L. O.
 Kahegewashinpisheh x
 Big Soldier x
 Cothistawoshko x
 Tocathingah x
 Towakaheh, x chief of the Crosse Cotte V.
 Kahegetankah x
 Uratthebeh x
 Thingahwassah x
 Onnyago x
 Wonopasheh x
 Kehegethingah x
 Veheseheh x
 Thunkemomo x
 Townakaheh x
 Wahchewabheh x
 Grenattheh x
 Neocheninkeh x
 Tanwanhehe x
 Wasabewangoudake x
 Wathinsabbeheh x

In presence of

Paul Baillio,
 Robert Dunlap,
 C. De La Croix.

No. 5. Articles of a treaty, made and concluded at St. Louis, in the state of Missouri, between William Clark, superintendent of Indian affairs, commissioner on the part of the United States, and the undersigned chiefs, head men, and warriors, of the Great and Little Osage tribe of Indians, duly authorized and empowered by their respective tribes or nations. Treaty with the Osage.

In order more effectually to extend to said tribes that protection of the government so much desired by them, it is agreed as follows:

Cession of
lands.

Art. 1. The Great and Little Osage tribes or nations do, hereby, cede and relinquish, to the United States, all their right, title, interest, and claim, to lands lying within the state of Missouri and territory of Arkansas, and to all lands lying west of the said state of Missouri and territory of Arkansas, north and west of the Red river, south of the Kansas river, and east of a line to be drawn from the head sources of the Kansas, southwardly through the Rock Saline, with such reservations, for such considerations, and upon such terms, as are hereinafter specified, expressed, and provided for.

Reservation
for the Osages
within the
country ceded.

Art. 2. Within the limits of the country, above ceded and relinquished, there shall be reserved to, and for the Great and Little Osage tribes or nations, aforesaid, so long as they may choose to occupy the same, the following described tract of land: beginning at a point due east of White Hair's village, and twenty-five miles west of the western boundary line of the state of Missouri, fronting on a north and south line, so as to leave ten miles north, and forty miles south, of the point of said beginning, and extending west, with the width of fifty miles, to the western boundary of the lands hereby ceded and relinquished by said tribes or nations; which said reservation shall be surveyed and marked, at the expense of the United States, and upon which, the agent for said tribes or nations, and all persons attached to said agency, as, also, such teachers and instructors, as the president may think proper to authorize and permit, shall reside, and shall occupy, and cultivate, without interruption or molestation, such lands as may be necessary for them. And the United States do, hereby, reserve to themselves, forever, the right of navigating, freely, all water courses and navigable streams, within, or running through, the tract of country above reserved to said tribes or nations.

Right of navigating all
water courses
reserved to the
United States.

U. States to
pay an annu-
ity of \$7,000,
in money,
merchandise,
&c.

Art. 3. In consideration of the cession and relinquishment, aforesaid, the United States do, hereby, agree to pay to the said tribes or nations, yearly, and every year, for twenty years, from the date of these presents, the sum of seven thousand dollars, at their village, or at St. Louis, as the said tribes or nations may desire, either in money, merchandise, provisions, or domestic animals, at their option. And whenever the said annuity, or any part thereof, shall be paid in merchandise, the same is to be delivered to them at the first cost of the goods at St. Louis, free of transportation.

Stock of dif-
ferent kinds,
and farming
utensils to be
furnished Os-
ages;

Also a person

Art. 4. The United States shall, immediately upon the ratification of this convention, or as soon thereafter as may be, cause to be furnished to the tribes or nations, aforesaid, six hundred head of cattle, six hundred hogs, one thousand domestic fowls, ten yoke of oxen, and six carts, with such farming utensils as the superintendent of Indian affairs may think necessary, and shall employ such persons, to aid them in their

agricultural pursuits, as to the president of the United States to teach agriculture, and a blacksmith. may seem expedient, and shall, also, provide, furnish, and support for them, one blacksmith, that their farming utensils, tools, and arms, may be seasonably repaired; and shall build, for each of the four principal chiefs, at their respective villages, a comfortable and commodious dwelling house. Houses to be built for the four principal chiefs.

Art. 5. From the above lands ceded and relinquished, the following reservations, for the use of the half-breeds, hereafter named, shall be made, to wit: One section, or six hundred and forty acres, for Augustus Clermont, to be located and laid off so as to include Joseph Rivar's residence, on the east side of the Neosho, a short distance above the Grand Saline, and not nearer than within one mile thereof; one section for each of the following half-breeds: James, Paul, Henry, Rosalie, Anthony, and Amelia, the daughter of She-me-hun-ga, and Amelia, the daughter of Mi-hun-ga, to be located two miles below the Grand Saline, and extending down the Neosho, on the east side thereof; and one section for Noel Mongrain, the son of Wa-taw-nagres, and for each of his ten children, Baptiste, Noel, Francis, Joseph, Mongrain, Louis, Victoria, Sophia, Julia, and Juliet: and the like quantity for each of the following named grand-children, of the said Noel Mongrain, to wit: Charles, Francis, Louisson, and Wash, to commence on the Marias des Cygnes, where the western boundary line of the state of Missouri crosses it at the fork of Mine river, and to extend up Mine river for quantity: one section for Mary Williams, and one for Sarah Williams, to be located on the north side of the Marais des Cygnes, at the Double Creek, above Harmony; one section, for Francis T. Chardon; one section, for Francis C. Tayon; one section, for James G. Chouteau; one section, for Alexander Chouteau; one section, for Pelagie Antaya; one section, for Celeste Antaya; one section, for Joseph Antaya; one section, for Baptiste St. Michelle, jr.; one section, for Lewis St. Michelle; one section, for Victoria St. Michelle; one section, for Julia St. Michelle; one section, for Francis St. Michelle; one section, for Joseph Perra; one section, for Susan Larine; one section, for Marguerite Reneau; one section, for Thomas L. Balio; and one section, for Terese, the daughter of Paul Louise; which said several tracts are to be located on the north side of the Marais des Cygnes, extending up the river, above the reservations in favor of Mary and Sarah Williams, in the order in which they are herein above named. Reservations in favor of half-breeds. &c.

Art. 6. And also fifty-four other tracts, of a mile square each, to be laid off under the direction of the president of the United States, and sold, for the purpose of raising a fund to be applied to the support of schools, for the education of the Osage children, in such manner as the president may deem most advisable to the attainment of that end. 54 sections of land to be sold to raise a school fund.

Debt due by
Osages to the
U. States' fac-
tory relin-
quished; and
U. States re-
leased from
the obligation
to station
regular troops
at fort Clark,
&c.

Art. 7. Forasmuch as there is a debt due, from sundry individuals of the Osage tribes or nations, to the United States' trading houses, of the Missouri and Osage rivers, amounting, in the whole, to about the sum of four thousand one hundred and five dollars and eighty cents, which the United States do hereby agree to release; in consideration thereof, the said tribes or nations do, hereby, release and relinquish their claim upon the United States, for regular troops to be stationed, for their protection, in garrison, at fort Clark, and, also, for furnishing of a blacksmith, at that place, and the delivery of merchandise, at Fire Prairie, as is provided for in the first, third, and fifth, articles of the treaty, concluded on the tenth day of November, one thousand eight hundred and eight.

U. States to
pay Delawares
\$1,000 for
claims against
Osages.

Art. 8. It appearing that the Delaware nation have various claims against the Osages, which the latter have not had it in their power to adjust, and the United States being desirous to settle, finally and satisfactory, all demands and differences between the Delawares and Osages, do hereby agree to pay to the Delawares, in full satisfaction of all their claims and demands against the Osages, the sum of one thousand dollars.

Depredations
on citizens by
Osages to be
settled and
paid for by
the U. States
to amount of
\$5,000.

Art. 9. With a view to quiet the animosities, which at present exist between a portion of the citizens of Missouri and Arkansas and the Osage tribes, in consequence of the lawless depredations of the latter, the United States do, furthermore, agree to pay, to their own citizens, the full value of such property, as they can legally prove to have been stolen or destroyed, by the Osages, since the year eighteen hundred and eight, and for which payment has not been made under former treaties: Provided the sum to be paid by the United States does not exceed the sum of five thousand dollars.

Reservations
for the use of
the mission-
ary establish-
ments, &c.

Art 10. It is furthermore agreed on, by and between the parties to these presents, that there shall be reserved two sections of land, to include the Harmony Missionary establishment, and the mill, on their Marais des Cygne; and one section, to include the missionary establishment, above the Lick on the west side of Grand river, to be disposed of as the president of the United States shall direct, for the benefit of said missions, and to establish them at the principal villages of the Great and Little Osage nations, within the limits of the country reserved to them by this treaty, and to be kept up at said villages, so long as said missions shall be usefully employed in teaching, civilizing, and improving, the said Indians.

To preserve
peace and
friendship, the
9th art of treaty
of fort
Clark, of 10th
Nov. 1808.

Art. 11. To preserve and perpetuate the friendship now happily subsisting between the United States and the said tribes or nations, it is hereby agreed, that the provisions contained in the ninth article of the treaty concluded and signed at fort Clark, on the tenth day of November, one thousand eight hundred and eight, between the United States and the said

tribes or nations, shall, in every respect, be considered as in (Ante, No. 1, full force and applicable to the provisions of this treaty, and that, of this chap.) the United States shall take and receive, into their friendship to be considered in full force, &c. and protection, the aforesaid tribes or nations, and shall guarantee to them, forever, the right to navigate, freely, all water-courses, or navigable streams, within the tract of country hereby ceded, upon such terms as the same are or may be navigated by the citizens of the United States.

Art. 12. It is further agreed, that there shall be delivered, as soon as may be, after the execution of this treaty, at the Osage villages, merchandise to the amount of four thousand dollars, first cost, in St. Louis, and two thousand dollars in merchandise, before their departure from this place; and horses and equipage, to the value of twenty-six hundred dollars; which, together with the sum of one hundred dollars, to be paid to Paul Louise, and the like sum to Baptiste Mongrain, in money, shall be in addition to the provisions and stipulations hereby above contained, in full satisfaction of the cession, herein before agreed on.

Art. 13. Whereas the Great and Little Osage tribes or nations are indebted to Augustus P. Chouteau, Paul Baillio, and William S. Williams, to a large amount, for credits given to them, which they are unable to pay, and have particularly requested to have paid, or provided for, in the present negotiation; it is, therefore, agreed on, by and between the parties to these presents, that the United States shall pay to Augustus P. Chouteau, one thousand dollars; to Paul Baillio, two hundred and fifty dollars, and to William S. Williams, two hundred and fifty dollars, towards the liquidation of their respective debts due from the said tribes or nations.

Art. 14. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said William Clark, commissioner, as aforesaid, and the deputation, chiefs, and head men, and warriors, of the Great and Little Osage nations of Indians, as aforesaid, have hereunto set their hands and seals, this second day of June, in the year of our Lord one thousand eight hundred and twenty-five, and of the independence of the United States the forty-ninth.

William Clark,
Clairmont, his x mark,
Pahusca, or White Hair, his x mark,
Chingawasa, or Handsome Bird, his x mark,
Wasabaistanga, or Big Bear, his x mark,
Waharsachais, his x mark,
Cochestawasca, or He that sees far, his x mark,
Vanonpachais, or He that is not afraid, his x mark,

Khigaischinga, or Little Chief, his x mark,
 Wataniga, or Fool, his x mark,
 Jean Lafond, his x mark,
 Wachinsabais, or Black Spirit, his x mark,
 Hurachais, the War Eagle, his x mark,
 Huralu, his x mark,
 Manchuhonga, his x mark,
 Chongaishonga, his x mark,
 Tawangahais, his x mark,
 Ponkchinga, his x mark,
 Nicohibran, his x mark,
 Panimonpachais, his x mark,
 Wasissegaistanga, or Big Broom, his x mark,
 Chonjaishengais, his x mark,
 Wabachequand, his x mark,
 Wastiagais, his x mark,
 Ishtassca, his x mark,
 Manchekamani, his x mark,
 Hangaquechais, his x mark,
 Hanhanmani, his x mark,
 Walutacest, his x mark,
 Niha, his x mark,
 Wanansonjais, his x mark, .
 Vagasidda, his x mark,
 Tawangahe, his x mark,
 Paigaismanic, or Big Soldier, his x mark,
 Tawagahais, or Town Maker, his x mark,
 Chongaismonnon, or Dog Thief, his x mark,
 Honiaigo, or Gentleman, his x mark,
 Hinchaacri, his x mark,
 Wakandaippahobi, his x mark,
 Saba, his x mark,
 Nasa, his x mark,
 Mancham, his x mark,
 Manchanginda, his x mark.

LITTLE OSAGES.

Nichumani, or Walking Rain, his x mark,
 Nihuchaisningaiswachinpichais, his x mark,
 Waruhagais, his x mark,
 Mangaischis, his x mark,
 Mances'tpogran, his x mark,
 Nonbaaheri, his x mark,
 Howasabais, his x mark,
 Nehuchaisningaisehinga, his x mark,
 Aquidachinga, his x mark,
 Sanjaiskanha, his x mark,
 Manpumahi, his x mark,
 Manhinonba, his x mark,
 Khigaiswachinpichais, or Missouri chief, his x mark.
 Ostiehingais, his x mark,
 Hasachais, his x mark,
 Hanhanpac'est, his x mark,
 Manchaquida, his x mark,
 Tiessinjais, his x mark,

Witnesses present:

R. Wash, *secretary*,
 Edward Coles, *governor of Illinois*,
 A. McNair, *Osage agent*,
 Pr Chouteau,
 W. B. Alexander, *sub Indian agent*,

Theodore Hunt,
 Cerre,
 P. L. Chouteau, *sub agent*,
 L. T. Honoric, *interpreter*,
 F. A. Chardon,
 Antonie Leclair, *interpreter*,
 James Coleman,
 Paul Louise, his x mark, *interpreter*, (*Ouages*)
 William Wilburn,
 Noel Dashnay, *interpreter*,
 Mauchaugachau, his x mark,
 Thepogrenque, his x mark.

CHAPTER XIII.

Treaties with the Wea tribe of Indians.

No. 1. A convention entered into at Vincennes, in the Indiana territory, between William Henry Harrison, commissioner plenipotentiary of the United States for treating with the Indian tribes northwest of the Ohio, and the Wea tribe. Convention with the Wea tribe.

The said tribe, by their sachems and head warriors, hereby declare their full and free consent to the treaty concluded at fort Wayne,* on the thirtieth ultimo, by the abovementioned commissioner, with the Delaware, Miami, Pattawatima, and Eel river tribes; and also to the separate article entered into on the same day, with the Miami and Eel river tribes. And the said commissioner, on the part of the United States, agrees to allow the said tribe an additional annuity of three hundred dollars, and a present sum of fifteen hundred dollars, in consideration of the relinquishment made in the first article of said treaty; and a further permanent annuity of one hundred dollars, as soon as the Kickapoos can be brought to give their consent to the ninth article of said treaty.†

In testimony whereof, the said William Henry Harrison, and the sachems and head warriors of the said tribe, have hereunto set their hands and affixed their seals, this twenty-sixth day of October, eighteen hundred and nine.

William H. Harrison,	l. s.
Jacco, his x mark,	l. s.
Shawanee, his x mark,	l. s.
Tosania, his x mark,	l. s.
Cohona, his x mark,	l. s.
Lapousier, his x mark,	l. s.
Pequia, his x mark,	l. s.
Quewa, or Negro Legs, his x mark,	l. s.
Alengua, his x mark,	l. s.
Chequia, or Little Eyes, his x mark,	l. s.

* See ante, No. 10, chap. 3.

† See ante, No. 11, chap. 3.

‡ See the consent of the Kickapoos given; post, chap. 14, No. 1, art. 1.

In the presence of

Peter Jones, *secretary to the commissioner*,
 B. Parke, *one of the judges of the Indiana territory*,
 Thomas Randolph, *A. G. of Indiana*,
 Will. Jones, *of Vincennes*,
 Saml. W. Davis, *lt. col. Ohio state*,
 Shadrach Bond, *jr. of the Illinois territory*,
 Joseph Barron, *sworn interpreter*.

Treaty with
the Weas.

No. 2. Articles of a treaty made and concluded, at St. Mary's, between the United States of America, by their commissioners, Jonathan Jennings, Lewis Cass, and Benjamin Parke, and the Wea tribe of Indians.

The Weas
cede all lands
within Indi-
ana, Ohio, and
Illinois.

Art. 1. The said Wea tribe of Indians agree to cede to the United States all the lands claimed and owned by the said tribe, within the limits of the states of Indiana, Ohio, and Illinois.

Reservation
by the Weas.

Art. 2. The said Wea tribe of Indians reserve to themselves the following described tract of land, viz: Beginning at the mouth of Racoon creek; thence, by the present boundary line, seven miles; thence, northeasterly, seven miles, to a point seven miles from the Wabash river; thence to the Wabash river, by a line parallel to the present boundary line aforesaid; and thence, by the Wabash river, to the place of beginning: to be holden by the said tribe as Indian reservations are usually held.

As Indian re-
servations are
usually held.

Grant to
Christmas Da-
geny and Ma-
ry Shields.

Art. 3. The United States agree to grant to Christmas Dageny and Mary Shields, formerly Mary Dageny, children of Mechinquamesha, sister of Jacco, a chief of the said tribe, and their heirs, one section of land each; but the land hereby granted shall not be conveyed or transferred to any person or persons, by the grantees aforesaid, or their heirs, or either of them, but with the consent of the president of the United States.

Grant not to
be transferred
without con-
sent.

The Weas
sanction a ces-
sion of land by
the Kickapoo-
poes, in 1809.
(* Post, No.
1, chap. 14.)
The United
States to pay
the Weas
3,000 dollars,
annually, in
silver.

Art. 4. The said Wea tribe of Indians accede to, and sanction, the cession of land made by the Kickapoo tribe of Indians, in the second article of a treaty concluded between the United States and the said Kickapoo tribe, on the ninth day of December, one thousand eight hundred and nine.*

Art. 5. In consideration of the cession made in the foregoing articles of this treaty, the United States agree to pay to the said Wea tribe of Indians, one thousand eight hundred and fifty dollars annually, in addition to the sum of one thousand one hundred and fifty dollars, (the amount of their former annuity,) making a sum total of three thousand dollars; to be paid in silver, by the United States, annually, to the said tribe, on the reservation described by the second article of this treaty.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid,

and the sachems, chiefs, and warriors, of the Wea tribe of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this second day of October, in the year of our Lord one thousand eight hundred and eighteen.

Jonathan Jennings,
Lewis Cass,
B. Parke,
Jacco, his x mark,
Shamana, his x mark,
Shequiah, or Little Eyes, his x mark,
Quenza, or Young Man, his x mark,
Pequiah, his x mark,
Shingonsa, or Mink, his x mark,
Shepauqua, or Leaves, his x mark,

KICKAPOO CHIEFS.

Metagekoka, or Big Tree, his x mark,
Wako, or Fox, his x mark.

In presence of

James Dill, *secretary to the commissioners*,
William Turner, *secretary*,
John Johnston, *Indian agent*,
William Prince, *Indian agent*,
B. F. Stickney, *S. I. A.*
John Conner,
Joseph Barron, *interpreter*,
John T. Chunn, *major 3d infantry*,
J. Hackley, *capt. 3d infantry*,
Benedict Th. Flaget, *bishop of Bardonia*.

No. 3. A treaty made and concluded by Benjamin Parke, a commissioner for that purpose on the part of the United States, of the one part, and the chiefs, warriors, and head men, of the Wea tribe of Indians, of the other part. Treaty with the Weas.

Art. 1. The chiefs, warriors, and head men, of the said tribe, agree to cede, and they do hereby cede and relinquish, to the United States, all the lands reserved by the second article of the treaty between the United States and the said tribe, concluded at Saint Mary's, on the second day of October, eighteen hundred and eighteen. The Weas cede lands reserved by the treaty of St. Mary's. (Ante, No. 2, of this chap.)

Art. 2. The sum of five thousand dollars, in money and goods, which is now paid and delivered by the United States, the receipt whereof the chiefs, warriors, and head men, of the said tribe, do hereby acknowledge, is considered by the parties a full compensation for the cession and relinquishment above mentioned. \$5,000, in money and goods, in full satisfaction to the tribe.

Art. 3. As it is contemplated by the said tribe to remove from the Wabash, it is agreed, that the annuity secured to the Weas, by the treaty of Saint Mary's, above mentioned, shall hereafter be paid to them at Kaskaskia in the state of Illinois. Annuity to the Weas to be hereafter paid at Kaskaskia.

Art. 4. This treaty, as soon as it is ratified by the president and senate of the United States, to be binding on the contracting parties.

In testimony whereof, the said Benjamin Parke, commissioner as aforesaid, and the said chiefs, warriors, and head men, of the said tribe, have hereunto set their hands, at Vincennes, this eleventh day of August, eighteen hundred and twenty.

B. Parke,
Maquakononga, or Negro Legs, his x mark,
Chequiat, or Little Eyes, his x mark,
Me Tacoshia, the Frenchman, his x mark,
Gu Ta Shemi Tai, or Thunder, his x mark,
Kenacosah Ta, or Long Body, his x mark,
Wapou Kean, or Swan, his x mark,
Laushepate Ta, or Two Teeth, his x mark,
Meahanet, the Lean Man, his x mark,
Chekolcah, the Dipper, his mark,
Ceholeschaquah, Bullet Mould, his x mark,
Samaquah, Yellow Beaver, his x mark,
Chasahwaba, or Rifle, his x mark,
Go To paquah, or the Lone Tree, his x mark,
Chikousah, or Mink, his x mark,
Teche Pa Low, or Shirt, his x mark
Pa Lon Swa, Francis.

In presence of

John Law, *secretary to the commissioner*,
William Prince, *Indian agent*,
Nathl. Ewing,
W. E. Breeding,
E. Boudinot,
Pr. Laplante,
Michel Brouillet, *United States' interpreter*.

[*Note.* Besides the treaties of this chapter, the Weas are parties in common to others, for which see ante, chap 3, Nos. 3, 4, 7, 14.]

CHAPTER XIV.

Treaties with the Kickapoo tribe of Indians.

Treaty with
the Kickapoo.

This treaty
binding, when
ratified.

Kickapoo
agree to art.
9, of treaty of
St. Wayne, for

No. 1. William Henry Harrison, governor of the Indiana territory, and commissioner plenipotentiary of the United States, for treating with the Indian tribes northwest of the Ohio, and the sachems and war chiefs of the Kickapoo tribe, on the part of said tribe, have agreed to the following articles, which, when ratified by the president, by and with the advice of the senate, shall be binding on said parties.

Art. 1. The ninth article of the treaty concluded at fort Wayne* on the thirtieth of September last, and the cession it contains, is hereby agreed to by the Kickapoo, and a perma-

* See ante, No. 10, chapter 3.

ment additional annuity of four hundred dollars, and goods to the amount of eight hundred dollars, now delivered, is to be considered as a full compensation for the said cession.

Art. 2. The said tribe further agrees to cede to the United States all that tract of land which lies between the tract above ceded, the Wabash, the Vermilion river, and a line to be drawn from the north corner of the said ceded tract, so as to strike the Vermilion river at the distance of twenty miles in a direct line from its mouth. For this cession a further annuity of one hundred dollars, and the sum of seven hundred dollars in goods now delivered, is considered as a full compensation. But if the Miami should not be willing to sanction the latter cession, and the United States should not think proper to take possession of the land without their consent, they shall be released from the obligation to pay the additional annuity of one hundred dollars.

additional annuity of \$400, and \$800 in goods.

The Kickapoo cede another tract, herein described, for further annuity of \$100, and \$700 in goods.

Condition as to the sanction of the Miami.

Art. 3. The stipulations contained in the treaty of Greenville,† relatively to the manner of paying the annuity, and of the right of the Indians to hunt upon the land, shall apply to the annuity granted and the land ceded by the present treaty.

Stipulations of the treaty of Greenville to apply:

In testimony whereof, the said William Henry Harrison, and the sachems and head war chiefs of the said tribe, have hereunto set their hands and affixed their seals, this ninth day of December, one thousand eight hundred and nine.

William Henry Harrison,	l. s.
Joe Renard, Nemahson, or a Man on his Feet, his x mark,	l. s.
Knoshania, or the Otter, his x mark,	l. s.
Wakoah, or Fox Hair, his x mark,	l. s.
Nonoah, or a Child at the Breast, his x mark,	l. s.
Moquiah, or the Bear Skin, his x mark,	l. s.

Signed in the presence of (the word "seven" in the second article being written upon an erasure)

Peter Jones, *secretary to the commissioner,*
 George Wallace, jun. *justice peace, K.*
 Jno. Gibson, *secretary Indiana terri.*
 Will. Jones, *justice of peace,*
 E. Stout, *justice of peace,*
 Charles Smith, *of Vincennes,*
 Hyacinthe Lasseille, *of Vincennes,*
 Dom. Lacroix, *of Vincennes,*
 Joseph Barron, *interpreter.*

No. 2. A treaty of peace and friendship, made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs, warriors, and deputies of the Kickapoo tribe or nation, on the part and behalf of the said tribe or nation, of the other part.

Treaty with the Kickapoo

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, Peace and friendship re-established.

† See ante. No. 3, art. 4 and 7, chap. 3.

tion, and of being placed in all things and in every respect on the same footing upon which they stood before the war, have agreed to the following articles:

Injuries to be forgiven, &c.

Art. 1. Every injury or act of hostility by one or either of the contracting parties towards the other, shall be mutually forgiven and forgot.

Perpetual peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Kickapoo tribe or nation.

Prisoners to be delivered up.

Art. 3. The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all the prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at fort Clarke, on the Illinois river, to be by him restored to their respective nations as soon as it may be practicable.

Former treaties confirmed.

Art. 4. The contracting parties in the sincerity of mutual friendship, recognize, re-establish, and confirm all and every treaty, contract, and agreement, heretofore concluded between the United States and the Kickapoo tribe or nation.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs, warriors, and deputies of the said tribe, have hereunto subscribed their names and affixed their seals, this second day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Pawwoatam, by his representative Kenepaso, or the bond prisoner, his x mark,
Kiteta, or otter, his x mark,
Kenepaso, or the bond prisoner, his x mark,
Teppema, or persuader, his x mark,
Cokecambaut, or elk looking back, his x mark,
Peywaynequa, or bear, his x mark,
Wettassa, or brave, his x mark,
Weywaychecawbout, or meeter, his x mark,
Autuppehaw, or mover, his x mark,
Weasheown, or dirty face, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
T. A. Smith, *B. G. U. S. A.*
D^rl. Bissell, *brig. gen.*
Stephen Byrd, *col. M. N.*
T. Paul, *C. C. T.*
A. McNair, *d. insp.*
Thomas Forsyth, *I. agent*,
Pierre Menard, *I. agent*,
John W. Johnson, *U. S. factor and I. agent*,
Maurice Blondeaux,
Samuel Solomon, *interpreter*,
Samuel Brady, *lieut. 8th U. S. Inf.*

Joseph C. Brown,
H. Battu,
Samuel Whiteaide, *capt. R. militia.*

No. 3. A treaty made and concluded by Benjamin Parke, a commissioner on Treaty with the part of the United States of America, of the one part, and the chiefs, the Kickapoo warriors, and head men, of the tribe of Kickapoo of the Vermilion, of the of Vermilion. other part.

Art. 1. The chiefs, warriors, and head men, of the said Kickapoo tribe, agree to cede, and hereby relinquish, to the United States, all the lands which the said tribe has heretofore possessed, or which they may rightfully claim, on the Wabash river, ede all their lands on the Wabash, &c.

Art. 2. And to the end that the United States may be enabled to fix with the other Indian tribes a boundary between their respective claims, the chiefs, warriors, and head men, of the said tribe, do hereby declare, that their rightful claim is as follows, viz: beginning at the northwest corner of the Vincennes tract; thence, westwardly, by the boundary established by a treaty with the Piankeshaws, on the thirtieth day of December, eighteen hundred and five,* to the dividing ridge between the waters of the Embarras and the Little Wabash; thence, by the said ridge, to the source of the Vermilion river; thence, by the same ridge, to the head of Pine creek; thence, by the said creek, to the Wabash river; thence, by the said river, to the mouth of the Vermilion river, and thence by the Vermilion, and the boundary heretofore established, to the place of beginning. Boundaries of the cession. (* Ante, chap. 10, No. 2.)

Art. 3. The said chiefs, warriors, and head men, of the said tribe, agree to relinquish, and they do hereby exonerate and discharge the United States from, the annuity of one thousand dollars, to which they are now entitled. In consideration whereof, and of the cession hereby made, the United States agree to pay the said tribe two thousand dollars annually, in specie, for ten years; which, together with three thousand dollars now delivered, is to be considered a full compensation for the cession hereby made, as also of all annuities, or other claims, of the said tribe, against the United States, by virtue of any treaty with the said United States. Kickapoo relinquish annuity of 1,000 dollars. 3,000 dolls. in hand, and 3,000 annually, in specie, for ten years, to the Kickapoo, in full, &c.

Art. 4. As the said tribe contemplate removing from the country they now occupy, the annuity herein provided for shall be paid at such place as may be hereinafter agreed upon between the United States and said tribe. Annuity to be paid at the place hereafter agreed upon.

Art. 5. This treaty, after the same shall be ratified by the president and senate of the United States, shall be binding on the contracting parties. The treaty binding when ratified.

In testimony whereof, the said Benjamin Parke, commissioner as aforesaid, and the chiefs, warriors, and head men, of the said tribe, have hereunto set their hands, at fort Harrison, the thirtieth day of August, in the year eighteen hundred and nineteen.

B. Parke,
Wagohaw, his x mark,
Tecumcena, his x mark,
Kaahna, his x mark,
Macacanaw, his x mark,
La Ferine, his x mark,
Macatewaket, his x mark,
Pelecheah, his x mark,
Kechemaquaw, his x mark,
Pacakinqua, his x mark.

In the presence of

John Law, *secretary to the commissioner,*
William Prince, *Indian agent,*
William Markle,
Andrew Brooks,
Pierre Laplante,
James C. Turner,
Samuel L. Richardson,
Michael Brouillet, *U. S. Interpreter.*

JAMES MONROE,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, greeting :

Treaty with
the Kickapoo
at Edwards-
ville.

Ratified con-
ditionally.

Whereas a treaty was made and concluded, between the United States of America and the Kickapoo tribe of Indians, at Edwardsville, in the state of Illinois, on the thirtieth day of July, in the year of our Lord one thousand eight hundred and nineteen, by commissioners on the part of the said United States, and the principal chiefs and warriors of the said tribe of Indians, on the part, and in behalf, of the said tribe; which treaty, having been communicated to the senate, was so far sanctioned by that body, that advice and consent was given to its ratification, upon condition that certain specified amendments should be made therein: And whereas, by a treaty, supplementary to, and amendatory of, the aforesaid treaty, made and concluded at St. Louis, in Missouri, by the same commissioners on the part of the United States, and the chiefs and warriors of the Kickapoo tribe, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and twenty, the amendments designated have been effected, to the satisfaction of the senate of the United States, as expressed in

their resolution, of the twenty-ninth day of December now last past, referring the first mentioned treaty, without further act, to the president of the United States, for ratification; the said treaties being in the words following, to wit :

No. 4. A treaty made and concluded at Edwardsville, in the state of Illinois, Treaty with between Auguste Chouteau, and Benjamin Stephenson, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned principal chiefs and warriors of the Kickapoo tribe of Indians, on the part and behalf of said tribe, of the other part.

Art. 1. The undersigned chiefs and warriors, for themselves and their said tribe, for, and in consideration of, the promises and stipulations hereinafter made, do hereby cede and relinquish to the United States forever, all their right, interest, and title, of, in, and to, the following tracts of land, viz:

All their land on the southeast side of the Wabash river, including the principal village in which their ancestors formerly resided, consisting of a large tract, to which they have had, from time immemorial, and now have, a just right; that they have never heretofore ceded, or otherwise disposed of, in any manner whatever.

Also, all the land within the following boundaries, viz: Beginning on the Wabash river, at the upper point of their cession, made by the second article of their treaty at Vincennes, on the 9th December, 1809;* running thence, northwestwardly to the dividing line between the states of Illinois and Indiana; thence, along said line, to the Kankakee river; thence, with said river, to the Illinois river; thence down the latter, to its mouth; thence, with a direct line, to the northwest corner of the Vincennes tract, as recognized in the treaty with the Piankeshaw tribe of Indians at Vincennes, on the 30th December, 1805;† and thence, with the western and northern boundaries of the cessions heretofore made by the said Kickapoo tribe of Indians, to the beginning. Of which last described tract of land, the said Kickapoo tribe claim a large portion, by descent from their ancestors, and the balance by conquest from the Illinois nation, and uninterrupted possession for more than half a century.

Art. 2. The said tribe hereby confirm all their former treaties with the United States, and relinquish to them all claim to every portion of their lands which may have been ceded by any other tribe or tribes, and all and every demand which they might have had, in consequence of the second article of the treaty made with the Pottawattamy nation of Indians at St. Mary's, on the 2d October, 1818.‡

Art. 3. The said tribe acknowledge themselves now to be, and promise to continue, under the protection of the United States of America, and of no other nation, power, or sovereign whatever.

The tribe cede tracts of land.

Land ceded.

Boundaries of their land ceded.

(*Ante, No. 1, of this chap.)

(†Ante, chap. 10, No. 2.)

Confirmation of former treaties, and relinquishment of claims, &c.

(‡Post, chap. 15, No. 3.)

The tribe under the protection of the U.S.

U. S. released
from obliga-
tions.

The U. S. to
pay \$3,000
annually, in
silver, for 15
years.

U. S. pay
\$8,000 worth
of merchan-
dise, and cede
a tract of land
in Missouri,
&c.

Proviso; tribe
cannot sell
the land, &c.

U. S. guaran-
tee peaceable
possession of
the tract they
cede.

Citizens may
pass and re-
pass.

The U. S. to
furnish boats,
&c.

U. S. will
take the Kick-
apoo under
their protec-
tion, &c.

The tribe re-
linquish all

Art. 4. The said tribe release the United States from all obligations imposed by any treaties heretofore made with them.

Art. 5. The United States, in lieu of all former stipulations, and in consideration of cessions of land heretofore made by the said tribe, promise to pay them, at their town on the waters of the Osage river, two thousand dollars in silver, annually, for fifteen successive years.

Art. 6. In consideration of the cession made by the afore-said tribe, in the first article of this treaty, the United States, in addition to three thousand dollars' worth of merchandise this day paid to the said tribe, hereby cede to them, and their heirs forever, a certain tract of land lying in the territory of Missouri, and included within the following boundaries, viz: Beginning at the confluence of the rivers Pommes de Terre and Osage; thence, up said river Pommes de Terre, to the dividing ridge, which separates the waters of Osage and White rivers; thence, with said ridge, and westwardly, to the Osage line; thence, due north with said line, to Nerve creek; thence, down the same, to a point due south of the mouth of White Clay, or Richard Creek; thence, north, to the Osage river; thence, down said river, to the beginning: *Provided, nevertheless,* That the said tribe shall never sell the said land without the consent of the president of the United States.*

Art. 7. The United States promise to guarantee to the said tribe the peaceable possession of the tract of land hereby ceded to them, and to restrain and prevent all white persons from hunting, settling, or otherwise intruding upon it. But any citizen or citizens of the United States, being lawfully authorized for that purpose, shall be permitted to pass and repass through the said tract, and to navigate the waters thereof, without any hindrance, toll, or exaction, from the said tribe.

Art. 8. For the purpose of facilitating the removal of the said tribe to the tract of land hereby ceded to them, the United States will furnish them with two boats, well manned, to transport their property, from any point they may designate on the Illinois river, and some judicious citizen shall be selected to accompany them, in their passage through the white settlements, to their intended residence.

Art. 9. The United States will take the said Kickapoo tribe under their care and patronage, and will afford them protection against all persons whatever, provided they conform to the laws of the United States, and refrain from making war, or giving any insult or offence to any other Indian tribe, or to any foreign nation, without first having obtained the approbation and consent of the United States.

Art. 10. The said tribe, in addition to their above described cessions, do hereby cede and relinquish to the United States.

* This art. altered and amended, see post, No. 5, of this chapter.

generally, and without reservation, all other tracts of land to which they have any right or title on the left side of the Illinois and Mississippi rivers. tracts on the left of the Illinois, and Mississippi.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals.

Done at Edwardsville, in the state of Illinois, this thirtieth day of July, in the year of our Lord one thousand eight hundred and nineteen, and of the independence of the United States the forty-fourth.

Aug. Chouteau,
Ben. Stephenson,
Pemoatan, his x mark,
Little Thunder, by the White Elk, his x mark,
Kectatta, his x mark,
Tecko, his x mark,
Weesoctee, his x mark,
Meckasaw, his x mark,
Neekawnakoa, his x mark,
Pacan, by Petshekosheek, his x mark,
Wawpeekonyaw, his x mark,
Peckoneca, his x mark,
Anckoaw, his x mark,
Namattsheekesaw, his x mark,
Sawkeema, his x mark,
Wawpeepoaw, his x mark,
Pancesa, his x mark,
Pawkonasheena, his x mark,
Ankwiskaw, his x mark,
Shekoan, his x mark,
Pasheeto, his x mark,
Wawpackeshaw, his x mark,
Awwatsee, his x mark,
Mawntoho, his x mark,
Keetshay, his x mark.

Signed, sealed, and delivered, in presence of the following witnesses:

Pascal Cerre, secretary to the commissioners,
Jacques Mette, interpreter
Ninian Edwards,
John Dew,
Thornton Peeples,
Tillery Merrick,
Dan. D. Smith,
Isaac A. Douglass,
Edmund Handle,
Pelemon H. Wenchester,
N. Buckmaster,
Thomas Harcena,
Henry Head,
John Wilson,
Joseph Deer,
Elbert Perry,
Joseph Remington,
J. L. Barton,
David Roach,
William Head,
John Lee Williams,

Wm. W. Hickman,
Jacob Prickett,
James Watt,
Joseph B. Lewis,
Jona H. Pugh,
William P. M'Kee,
Stephen Johnson,
Nathan Clampet,
Reuben Hopkins,
Joseph Newman.

Supplemen-
tary treaty
with the
Kickapoos.

No. 5. A treaty, made and concluded by, and between Auguste Chouteau and Benjamin Stephenson, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors, of the Kickapoo tribe of Indians, on the part and behalf of their said nation, of the other part, the same being supplementary to, and amendatory of, the treaty made and concluded at Edwardsville, on the 30th July, 1819, between the United States and the said Kickapoo nation.

Sixth art. of
the treaty of
Edwardsville
altered and
amended.

Substitute for
the 6th art. of
the treaty of
Edwardsville.

Art. 1. It is agreed, between the United States and the Kickapoo tribe of Indians, that the sixth article of the treaty, to which this is supplementary, shall be, and the same is hereby, altered and amended, so as to read as follows, viz:

In consideration of, and exchange for, the cession made by the aforesaid tribe, in the first article of this treaty, the United States, in addition to three thousand dollars' worth of merchandise, this day paid to the said tribe, hereby cede to the said tribe, to be by them possessed in like manner as the lands, ceded by the first article of this treaty by them to the United States, were possessed, a certain tract of land in the territory of Missouri, and included within the following boundaries, viz: Beginning at the confluence of the rivers Pommes de Terre and Osage; thence, up said river Pommes de Terre to the dividing ridge which separates the waters of Osage and White rivers; thence, with said ridge, and westwardly, to the Osage line; thence, due north with said line, to Nerve Creek; thence, down the same, to a point due south of the mouth of White Clay, or Richard creek; thence, north, to the Osage river; thence, down said river, to the beginning.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals.

Done at St. Louis, in the territory of Missouri, the 19th of July, in the year of our Lord one thousand eight hundred and twenty, and of the Independence of the United States the forty-fifth.

Aug. Chouteau,
Ben. Stephenson,
Pemoutan, his x mark,

Quitattay, his x mark,
 Pawpaussapeawaw, his x mark,
 Waysheecown, his x mark,
 Paywaneckway, his x mark,
 Keesawnaw, his x mark,
 Shee Sheep, his x mark,
 Keesawonaw, his x mark,
 Mawkwawteppa, his x mark,
 Waywetsheecawpaw, his x mark,
 Keeotay, his x mark,
 Wawponashee, his x mark,
 Weepokothee, his x mark,
 Paysheesaw, his x mark,
 Wawpee Konyaw, his x mark,
 Auckoaw, his x mark,
 Namatchee, his x mark,
 Wakykapa, his x mark,
 Keechkakoy, his x mark,
 Saw Koy, his x mark,
 Namatt Shee Keesaw, his x mark,
 Keesasway, his x mark,
 Pemoatam Oseemin, his x mark,
 Wawpeepoaw, his x mark,
 Mentowta, his x mark,
 Pawpaw Keemene, his x mark,
 Sheekeemakow, his x mark,
 Pawkonesheeno, his x mark,

Signed, sealed, and delivered, in presence of the following witnesses :

Pascal Cerre, *secretary to the commissioners*,
 Jacques Mette, *interpreter*,
 Jn. Ruland, *sub-agent*,
 Th. Estes,
 Geo. Y. Bright,
 J. Brand,
 Mal. Detandebarat,
 Gabriel G. Chouteau,
 Henry P. Chouteau,
 Felix St. Vrain,
 G. P. Cerre,
 F. Simon,
 Peter Didier,
 T. Goddard,
 Gl. Paul,
 R. Paul, *col. M. M.*
 Tho. T. Lowry,
 T. B. Mathurin,
 B. Provinchere.

Now, therefore, be it known, That I, James Monroe, president of the United States of America, having seen and considered the said treaties, have, by, and with the advice and consent of the senate, as aforesaid, given, accepted, ratified, and confirmed, the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having first signed the same with my hand.

Done at the city of Washington, this thirteenth day of January, in the year of our Lord one thousand eight hundred

and twenty-one; and of the Independence of the United States the forty-fifth.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

Convention
with the Kick-
apoos of the
Vermilion.

No. 6. Articles of a convention made and concluded, between Benjamin Parke, a commissioner on the part of the United States, for that purpose, of the one part, and the chiefs, warriors, and head men, of the tribe of Kickapoos of the Vermilion, of the other part.

Annuity to be
hereafter paid
to the tribe at
Kaskaskias.

Art. 1. It is agreed, that the annuity secured to the said tribe, by the treaty of the thirtieth of August, eighteen hundred and nineteen,* shall hereafter be paid to the said tribe at Kaskaskias, in the state of Illinois.

2,000 dollars
paid to the
tribe, to en-
able them to
remove; in full
for annuity of
1821.

Art. 2. As the said tribe are now about leaving their settlements on the Wabash, and have desired some assistance to enable them to remove, the said Benjamin Parke, on behalf of the United States, has paid and advanced to the said tribe, two thousand dollars; the receipt whereof is hereby acknowledged; which said sum of two thousand dollars, is to be considered as an equivalent, in full, for the annuity due the said tribe, by virtue of the aforesaid treaty, for the year eighteen hundred and twenty-one.

In testimony whereof, the said Benjamin Parke, commissioner as aforesaid, and the chiefs, warriors, and head men, of the said tribe, have hereunto set their hands, at Vincennes, the fifth day of September, eighteen hundred and twenty.

B. Parke,
Wagohaw, his x mark,
Tecumsena, his x mark,
Pelecheah, his x mark,
Kechemaqua, his x mark,
Paca Riqua, her x mark,
Katewah, his x mark,
Nasa Reah, his x mark,

In presence of

William Prince, *Indian agent*,
Samuel Jacobs,
R. S. Reynolds,
George R. C. Sullivan, *Vincennes Postmaster*,
Toussaint Dubois,
Michael Brouillet, *interpreter*.

[*Note.* Besides the treaties of this chapter, the Kickapoos are parties to others, for which see ante, chap. 3, Nos. 3, 4, 5, 14.]

* Ante, No. 3, of this chapter.

CHAPTER XV.

Treaties with the Poutawatamies.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of the Poutawatamie tribe or nation, residing on the river Illinois, on the part and behalf of the said tribe or nation, of the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Poutawatamie tribe or nation.

Art. 3. The contracting parties hereby agree, promise and bind themselves, reciprocally, to deliver up all the prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at fort Clarke, on the Illinois river, as soon as it may be practicable.

Art. 4. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish and confirm, all and every treaty, contract and agreement, heretofore concluded between the United States, and the Poutawatamie tribe or nation.

In witness of all and every thing herein determined between the United States of America, and the said Poutawatamie tribe or nation, residing on the river Illinois: we, their underwritten commissioners and chiefs aforesaid, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed. Done at Portage des Sioux, this eighteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Sunawchewome, his x mark,
Mucketepoke, or Black Partridge, his x mark,
Neggenehkek, his x mark,
Chawcawbeme, his x mark,
Bendegakewa, his x mark,
Wapewy, or White Hair, his x mark,
Ontawa, his x mark,

In the presence of

R. Wash, *secretary to the commission*,
 Thomas Forsyth, *I. agent*,
 N. Boilvin, *agent*,
 T. Paul, *C. M.*
 Maurice Blondeaux,
 Manuel Lisa, *agent*,
 John Miller, *col. 3d infantry*,
 Richard Chitwood, *major M.*
 Wm. Irvine Adair, *capt. 3d regiment United States' infantry*,
 Cyrus Edwards,
 Samuel Solomon,
 Jaques Mett,
 Louis Decouagne,
 John A. Camero,

} *sworn interpreters.*

Treaty with
the Pattawati-
mas.

No. 2. Articles of a treaty made and concluded at St. Mary's, in the state of Ohio, between Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners of the United States, and the Pattawatima nation of Indians.

Cession of
lands by the
Pattawatimas.

Art. 1. The Pattawatima nation of Indians cede to the United States all the country comprehended within the following limits: Beginning at the mouth of the Tippecanoe river, and running up the same to a point twenty-five miles in a direct line from the Wabash river—thence, on a line as nearly parallel to the general course of the Wabash river as practicable, to a point on the Vermilion river, twenty-five miles from the Wabash river; thence, down the Vermilion river to its mouth, and thence, up the Wabash river, to the place of beginning. The Pattawatimas also cede to the United States all their claim to the country south of the Wabash river.

U. S. agree to
purchase
Kickapoo
claims.

Art. 2. The United States agree to purchase any just claim which the Kickapoos may have to any part of the country hereby ceded below Pine creek.

U. S. to pay
the Pattawati-
mas a perpet-
ual annuity—
and all annui-
ties in silver.

Art. 3. The United States agree to pay to the Pattawatimas a perpetual annuity of two thousand five hundred dollars in silver; one half of which shall be paid at Detroit, and the other half at Chicago; and all annuities which, by any former treaty, the United States have engaged to pay to the Pattawatimas, shall be hereafter paid in silver.

Grants to per-
sons named in
schedule—but
not to be con-
veyed without
consent.

Art. 4. The United States agree to grant to the persons named in the annexed schedule, and their heirs, the quantity of land therein stipulated to be granted; but the land so granted shall never be conveyed by either of the said persons, or their heirs, unless by the consent of the president of the United States.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Pattawati-

ma tribe of Indians, have hereunto set their hands, at St. Mary's, in the state of Ohio, this second day of October, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-third.

Jonathan Jennings,
Lewis Cass,
B. Parke,
Tuthinepee, his x mark,
Cheebaas, his x mark,
Metamice, his x mark,
Winemakoos, his x mark,
Mescotnome, his x mark,
Wabmeshema, his x mark,
Shawano, his x mark,
Chacapma, his x mark,
Menomene, his x mark,
Wogaw, his x mark,
Metea, his x mark,
Metchepagiss, his x mark,
Nautchegno, his x mark,
Osheochebe, his x mark,
Kecsis, his x mark,
Conge, his x mark,
Onoxas, his x mark,
Meetenwa, his x mark,
Scomack, his x mark,
Chewago, his x mark,
Jowish, his x mark,
Checalk, his x mark,
Eshcam, his x mark,
Pesotem, his x mark,
Petcheco, his x mark,
Shepage, his x mark,
Sheackackabe, his x mark,
Peaneeah, his x mark,
Macota, his x mark,
Mona, or Moran, his x mark,
Mocksa, his x mark,
Nanousecka, his x mark,
Wistea, his x mark,
Mowa, or Black Wolf, his x mark.

In presence of

James Dill, *secretary to the commissioners*,
William Turner, *secretary*,
Jno. Johnston, *Indian agent*,
B. F. Stickney, *S. I. A.*
William Prince, *Indian agent*,
John Conner,
William Conner, *interpreter*,
R. A. Forsyth, *secretary of Indian affairs*,
Isaac Burnett,
Benedict Jh. Flaget, *bishop of Bardelown*,
G. Godfroy, *Indian agent*,
John P. Chunn, *major 3d infantry*,
P. Hackley, *capt. 3d infantry*.

Schedule referred to in the foregoing treaty.

There shall be granted to James Burnett, Isaac Burnett, Jacob Burnett, and Abraham Burnett, two sections of land each; grantees.

and to Rebecca Burnett and Nancy Burnett, one section of land each ; which said James, John, Isaac, Jacob, Abraham, Rebecca, and Nancy, are children of Cakimi, a Pattawatima woman, sister of Topinibe, principal chief of the nation ; and six of the sections herein granted, shall be located from the mouth of the Tippecanoe river, down the Wabash river, and the other six [five] sections shall be located at the mouth of Flint river.

There shall be granted to Perig, a Pattawatima chief, one section of land on the Flint river, where he now lives. There shall also be granted to Mary Chatalie, daughter of Neebosh, a Pattawatima chief, one section of land, to be located below the mouth of Pine river.

JONATHAN JENNINGS,
LEWIS CASS,
B. PARKE.

[Note The Potawatimies are moreover parties, in common, to other treaties, for which see ante, chap. 3, Nos. 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 20.]

CHAPTER XVI.

Treaty with the Teetons.

Treaty with
the Teetons.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and the behalf of the said states, of the one part ; and the undersigned chiefs and warriors of the Teeton tribe of Indians, on the part and behalf of their said tribe, of the other part.

Parties desir-
ous of re-es-
tablishing
peace.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles :

Injuries to be
forgiven.

Art. 1. Every injury or act of hostility committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Teeton tribe, and the friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Teetons under
protection of
U. States.

Art. 3. The undersigned chiefs and warriors, for themselves, and their said tribe, do hereby acknowledge themselves and their aforesaid tribe to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors of the said tribe, have hereunto subscribed their names, and affixed their seals this nineteenth day of July, one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Eskatapia, the Player, his x mark,
Tantanga, the true buffalo, his x mark,
Mazamanic, the walker in iron, his x mark,
Wanakagnamee, the stamper, his x mark,
Weechachamanza, the man of iron, his x mark,
Ikmoouacoulai, the shooting tiger, his x mark,
Uakahincoukai, the wind that passes, his x mark,
Washeejonjrtga, the left handed Frenchman, his x mark,
Monetowanari, the bear's soul, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
John Miller, *col. 3d inf.*
H. Dodge, *brig. gen. Missouri militia*,
T. Paul, *C. T. of the C.*
Manuel Lisa, *agent*,
Thomas Forsyth, *l. agent*,
Maurice Blondeaux,
John A. Cameron,
Louis Decouagne,
Louis Dorion,
Cyrus Edwards,
John Hay.

CHAPTER XVII.

Treaties with the Sioux.

No. 1. A treaty of peace and friendship, made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of the Sioux of the Lakes, on the part and behalf of their tribe, on the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war, between the United States and Great Britain, have agreed to the following articles.

Art. 1. Every injury or act of hostility committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Treaty with the Sioux of the Lakes.
Parties desirous of re-establishing peace.

Injuries to be forgiven.

Perpetual
peace.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said tribe of the lakes, and all the friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Protection of
the U. S. ac-
knowledged.

Art. 3. The undersigned chiefs and warriors, for themselves, and their said tribe, do hereby acknowledge themselves and their aforesaid tribe to be under the protection of the United States, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners aforesaid, and the chiefs and warriors of the aforesaid tribe, have hereunto subscribed their names and affixed their seals this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Tintangananie, the walking buffalo, his x mark,
Haisanwee, the horn, his x mark,
Aampahaa, the speaker, his x mark,
Narcesagata, the hard stone, his x mark,
Haibohaa, the branching horn, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
John Miller, *col. 3d inf.*
T. Paul, *C. T. of the C.*
Edmund Hall, *lieut. late 28th inf.*
J. B. Clark, *adj. 3d inf.*
Manuel Lisa, *agent*,
Thomas Forsyth, *I. agent*,
Jno. W. Johnson, *U. S. factor and Indian agent*,
Maurice Blondeaux,
Lewis Decousigne,
Louis Dorion,
John A. Cameron,
Jacques Mettee,
John Hay.

Treaty with
the Sioux of
the river St.
Peter.

No. 2. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the chiefs and warriors of the Sioux of the river St. Peter, on the part and behalf of their said tribe, on the other part.

Parties desi-
rous of re-
establishing
peace.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and of being placed in all things and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Art. 1. Every injury or act of hostility committed by one ^{Injuries to be} or either of the contracting parties against the other, shall be ^{forgiven.} forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship be- ^{Perpetual} tween the citizens of the United States of America, and all the ^{peace.} individuals composing the tribe of Sioux of the river St. Peter; and all the friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Art. 3. The undersigned chiefs and warriors, for them- ^{Protection of} selves and their said tribe, do hereby acknowledge themselves ^{U. States ac-} and their tribe to be under the protection of the United States, ^{knowledged.} and of no other power, nation or sovereign whatsoever.

In testimony whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors of the aforesaid tribe, have hereunto subscribed their names and affixed their seals this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Enigmanee, that flies as he walks, his x mark,
Wasoukapaha, the falling hail, his x mark,
Champisaba, the black war club, his x mark,
Manpissaba, the black cloud, his x mark,
Tatarnaza, the iron wind, his x mark,
Nankanandee, who puts his foot in it, his x mark

Done at Portage des Sioux, in the presence of

R. Wash, *secretary to the commission,*
John Miller, *col. 3d infantry,*
H. Paul, *C. T. of the C.*
John F. Chunn, *brevet major of the U. S. army,*
Edmund Hall, *lieut. late 28th inf.*
Manuel Lisa, *agent,*
Thomas Forsyth, *Indian agent,*
J. W. Johnson, *U. S. F. and I. agent,*
Maurice Blondeaux,
Louis Decouagne,
John A. Cameron,
Louis Dorion,
Jacques Matte,

sworn interpreters.

No. 3. A treaty of peace and friendship, made and concluded between Wil- Treaty with
liam Clark, Ninian Edwards, and Auguste Chouteau, commissioners pleni- the Sioux of
potentiary of the United States of America, on the part and behalf of the the Leaf, of
said states, of the one part; and the undersigned chiefs and warriors, repre- the Broad
senting eight bands of the Sioux, composing the three tribes called the Leaf, and who
Sioux of the Leaf, the Sioux of the Broad Leaf, and the Sioux who shoot in the shoot in the
the Pine tops, on the part and behalf of their said tribes, of the other part. Pine Tops.

The parties being desirous of re-establishing peace and friend- Parties desir-
ship between the United States and the said tribes, and of be- ous of re-es-

establishing
peace.

ing placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Injuries to be
forgiven.

Art. 1. Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States, and all the individuals composing the aforesaid tribes; and all the friendly relations that existed between them before the war, shall be, and the same are hereby, renewed.

Cessions of
land to the
British,
French, or
Spanish go-
vernment,
confirmed to
U. States, and
all former
treaties recog-
nized.

Art. 3. The undersigned chiefs and warriors, for themselves and their tribes respectively, do, by these presents, confirm to the United States all and every cession, or cessions, of land heretofore made by their tribes to the British, French, or Spanish government, within the limits of the United States or their territories; and the parties here contracting do, moreover, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said tribes or nations.

Protection of
the U. States
acknowledged.

Art. 4. The undersigned chiefs and warriors as aforesaid, for themselves and their said tribes, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatsoever.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereto subscribed their names and affixed their seals, this first day of June, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States the fortieth.

William Clark,

Ninian Edwards,

Auguste Chouteau,

Tatamane, the Marching Wind, his x mark,

Warmadearwarup, the Man who looks at the Calumet Eagle, his x mark,

Peneshon, his x mark,

Kanggawashecha, or French Crow, his x mark,

Kanggamanee, the Runner, his x mark,

Tatangascartop, the Playing Buffalo, his x mark,

Tatangamane, the Walking Buffalo, or Red Wing, his x mark,

Warseconta, who shoots in the Pine tops, his x mark,

Weashto, the Shoulder, his x mark,

Warmarnosa, the Thief, his x mark,

Shutkaongka, the Bird on the Limb, his x mark,

Shakaska, White Nails, his x mark,

Shuskamane, the Walking Bird, his x mark,

Manakuhomonee, the Turning Iron, his x mark,

Oocus, the Watchman, his x mark,

Pahataka, the Humming Bird, his x mark,

Eashungko, the Man who marches quick, his x mark,
 Medermee, the Muddy Lake, his x mark,
 Tatawaka, the Medicine Wind, his x mark,
 Warahushasta, the Bad Hail, his x mark,
 Eoshark, the Belly-Ache, his x mark,
 Tuquasacundup, the Doctor, his x mark,
 Onudokea, the Fluttering Eagle, his x mark,
 Tusarquarp, he that walks with a Cane, his x mark,
 Markpeasena, the Black Cloud, his x mark,
 Warksuamance, the Man who is sick when he walks, his x mark,
 Otanggamanee, the Man with a strong Voice, his x mark,
 Hungkrehearpee, or the Half of his Body Gray, his x mark,
 Warpearmusee, the Iron Cloud, his x mark,
 Etoagungamanee, the White Face, his x mark,
 Warchesunsapa, the Negro, his x mark,
 Ehaarp, the Climber, his x mark,
 Nahre, the Shifting Shadow, his x mark,
 Hapula, the fourth Son, his x mark,
 Marcawachup, the Dancer, his x mark,
 Shantanggaup, the Big Tree, his x mark,
 Shongkaska, the White Big-eared Dog, his x mark,
 Hasanee, the Buffalo with one Horn, his x mark,
 Narissakata, the Old Man who can hardly Walk, his x mark,
 Acarpa, the Speaker, his x mark,
 Muckpeasarp, the Black Cloud, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission,*
 R. Paul, *C. T. of the C.*
 Wm. O. Allen, *captain United States corps artillery,*
 H. S. Geyer,
 Joshua Norvell, *judge advocate, M. M.*
 N. Boilvin, *agent,*
 Thomas Forsyth, *I. agent,*
 Maurice Blondeaux,
 Henry Delorier, *interpreter,*
 Pierre Lapointe, *interpreter,*
 Samuel Solomon, *interpreter,*
 Jacques Mette, *interpreter,*
 Cere,
 Richard Cave,
 Willi Cave,
 Julius Pescay.

CHAPTER XVIII.

Treaty with the Yanctons.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Yancton tribe of Indians, on the part and behalf of their said tribe, of the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and

Parties desirous of re-establishing peace.

of being placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Injuries mutually forgiven.

Art. 1. Every injury, or act of hostility, committed by one or either of the contracting parties against the other shall be mutually forgiven and forgot.

Friendly relations renewed and perpetuated.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Yancton tribe, and all the friendly relations that existed between them before the war shall be, and the same are hereby renewed.

Protection of the U. S. acknowledged.

Art. 3. The undersigned chiefs and warriors for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said William Clark, Ninian Edwards and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Auguste Chouteau,
Monlori, or white bear, his x mark,
Waskaijingo, or little dish, his x mark,
Padamape, or panis sticker, his x mark,
Chaponge or musquitoe, his x mark,
Mindalonga, partisan, or war chief,
Weopaatowechashla, or sun set,
Tokaymhomince, or the rock that turns, his x mark,
Keonorunco, or fast flyer, his x mark,
Mazo, or the iron, his x mark,
Haiwongeeda, or one horn, his x mark,
Mazehais, or arrow sender, his x mark.

Done at the Portage des Sioux, in the presence of

R. Wash, *secretary to the commission*,
John Miller, *col. 3d. inf.*
H. Dodge, *brig. genl. Missouri militia*,
Manuel Lisa, *agent*,
Thomas Forsyth, *J. agent*,
Maurice Blondeaux,
Jacques Mette,
John A. Cameron,
R. Paul, *C. T. of the commis.*
Louis Decouagne,
Cyrus Edwards,
Lewis Dorton,
John Hay, *interpreter*.

CHAPTER XIX.

Treaties with the Mahas.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Mahas, on the part and behalf of said tribe or nation, on the other part.

Treaty with
the Mahas.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed, in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Parties desirous
of re-es-
tablishing
peace.

Art. 1. Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forget.

Injuries to be
mutually for-
given.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the tribe or nation of the Mahas, and all friendly relations that existed between them before the war, shall be and the same are hereby renewed.

Friendly rela-
tions renewed
and perpetuat-
ed.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby acknowledge themselves and their tribe or nation to be under the protection of the United States, and of no other nation, power or sovereign whatsoever.

Protection of
the U. S. ac-
knowledged.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors of the aforesaid tribe or nation, have hereinto subscribed their names and affixed their seals, this twentieth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth,

William Clark,
Ninian Edwards,
Auguste Chouteau,
Oupaatanga, or the big elk, his x mark,
Washcamanie, or the hard walker, his x mark,
Kasheegua, or the old chief, his x mark,
Wanowrabai, or the blackbird's grandson, his x mark,
Osogagee, or the point maker, his x mark,
Toireechee, or the cow's rib, his x mark,
Manshaquita, or the little soldier, his x mark,
Pissinguai, or he who has no gall, his x mark,

Done at Portage des Sioux, in the presence of

R. Wash, secretary to the commission,
John Miller, col. 3d inf.
R. Paul, C. T. of the C.
Edw. Hall, lt. late 28th inf.

John B. Clark, *adj. 3d inf.*
 Manuel Lisa, *agent*,
 Thos. Forsyth, *I. agent*,
 J. W. Johnson, *I. agent*,
 Louis Decouagne,
 Louis Dorion,
 John A. Cameron,
 Jacques Mette.

**Treaty with
the Mahas.**

No. 2. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Maha tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the said Maha tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the President of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Mahas within
limits of the
U. States, ac-
knowledge
protection and
right to regu-
late trade.

Art. 1. It is admitted by the Maha tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Protection and
kindness ex-
tended to
them.

Art. 2. The United States agree to receive the Maha tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Trade to be
transacted at
places to be
designated,
&c.

Art. 3. All trade and intercourse with the Maha tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Licensed tra-
ders to be ad-
mitted and
protected.

Art. 4. That the Maha tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Maha tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Maha tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United

No foreigner
to be admitted
in their coun-
try for purpo-
ses of trade.

States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

All agents, &c. sent by the U. States to be protected; and citizens passing to New Mexico not to be molested.

Art. 5. That the friendship which is now established between the United States and the Maha tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Maha tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Maha tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

No private revenge to be taken for injuries, &c.

Property stolen from citizens to be delivered up.

Indemnification guaranteed to the Indians for property stolen from them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Indians hostile to the U. S. not to be supplied with guns, &c.

Done at fort Atkinson, Council Bluffs, this 6th day of October, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said Commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors of the Maha tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, <i>br. gen. U. S. army,</i>	
Benj. O'Fallon, <i>U. S. agt. Ind. aff.</i>	
Opa-ton-ga, the Big Elk,	x
Oho-shin-ga, the Man that cooks little in a small kettle,	x
Wash-ca-ma-nee, the Fast Walker,	x
Shon-gis-cah, the White Horse,	x
We-du-gue-noh, the Deliberator,	x
Wa-shing-ga-sabba, the Black Bird,	x
Ta-noh-ga, the Buffaloe Bull,	x
Eah-sta-ra-ba, ———,	x
Ta-rect-tee, the side of a Buffaloe,	x
Sa-da-ma-nc, He that arrives,	x
Moh-pe-ma-nee, the Walking Cloud,	x
Momee-shee, He who lays on the arrows from the	
number that pierce him,	x
Ma-sha-ke-ta, the Soldier,	x
Te-sha-va-gran, the Door of the Lodge.	x

In presence of

A. L. Langham, *secretary to the commission,*
 A. R. Woolley, *lieut. col. U. S. A.*
 J. Gantt, *capt. 6th inf.*
 John Gale, *surgeon U. S. army,*
 George C. Hutter, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 Michael Burdeau, his x mark, *interpreter,*
 William Rodgers.

CHAPTER XX.

Treaties with the Ioways.

Treaty with
the Ioways.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America on the part and behalf of the said states, of the one part; and the undersigned king, chiefs, and warriors, of the Ioway tribe or nation, on the part and behalf of the said tribe or nation, of the other part.

Parties desirous of re-establishing peace.

The parties being desirous of re-establishing peace and friendship between the United States, and the said tribe or nation, and of being placed in all things and in every respect on the same footing upon which they stood before the war, have agreed to the following articles:

Injuries to be mutually forgiven.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other shall be mutually forgiven and forgot.

Perpetual peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals composing the said Ioway tribe or nation.

Art. 3. The contracting parties do hereby agree, promise, and oblige themselves reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at St. Louis, to be by him restored to their respective nations, as soon as it may be practicable. ^{Prisoners to be delivered up.}

Art. 4. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said Ioway tribe or nation.* ^{Former treaties confirmed, &c.}

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid king, chiefs, and warriors, have hereunto subscribed their names and affixed their seals, this sixteenth day of September, in the year of our Lord one thousand, eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Wyingwaha, or hard heart, his x mark,
Wongehchryne, or Big chief, his x mark,
Wonehee, or the slave, his x mark,
Hahraga, the forked horn, his x mark,
Eniswahantee, the big axe, his x mark,
Washcommance, the great marcher, his x mark,
Wyimpiahcoontee, the ill-humoured man, his x mark,
Ranoingga, the little pipe, his x mark,
Wohompppee, the broth, his x mark,
Shongatong, the horse jockey, his x mark,
Nahocheininugga, without ears, his x mark,
Conja, the plumb, his x mark,
Chahowhrowpa, the dew-lap, his x mark,
Manuhanu, the great walker, his x mark,
Chapee, the pine buffalo, his x mark,
Okugwata, the roller, his x mark,
Ishtagassa, grey eyes, his x mark.

Done at Portage des Sioux, in the presence of

R. Wash, secretary to the commission,
Dl. Bissel, brig. gen.
R. Paul, C. C. T.
Samuel Brady, lieut.
Geo. Fisher, surgeon, Illinois regt.
P. Chouteau, agent,
Jas. W. Johnson, U. S. factor and Indian agent,
Samuel Solomon, interpreter,
Maurice Blondeaux,
Louis Dorion,
Dennis Julien,
Jas. M'Culloch, capt.

* This appears to be the first treaty concluded with this tribe of Indians, under the name of Ioways.

Treaty with
the Iowaya.

No. 2. Articles of a treaty made and concluded at the city of Washington, on the fourth day of August, one thousand eight hundred and twenty-four, between William Clark, superintendent of Indian affairs, being specially authorized by the President of the United States thereto, and the undersigned chiefs and head men, of the Ioway tribe or nation, duly authorized and empowered by the said nation.

Lands ceded
to the U.
States.

Art. 1. The Ioway tribe or nation of Indians, by their deputies, Mah-hos-kah, (or White Cloud,) and Mah-ne-hah-nah, (or Great Walker,) in council assembled, do hereby agree, in consideration of a certain sum of money, &c. to be paid to the said Ioway tribe, by the government of the United States, as hereinafter stipulated, to cede and forever, quit claim, and do, in behalf of their said tribe, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, interest, and claim, to the lands which the said Ioway tribe have, or claim, within the state of Missouri, and situated between the Mississippi and Missouri rivers and a line running from the Missouri, at the mouth or entrance of Kansas river, north one hundred miles, to the northwest corner of the limits of the state of Missouri, and, from thence, east to the Mississippi.

\$500 to be
paid them.

Art. 2. It is hereby stipulated and agreed, on the part of the United States, as a full compensation for the claims and lands ceded by the Ioway tribe in the preceding article, there shall be paid to the said Ioway tribe, within the present year, in cash or merchandise, the amount of five hundred dollars, and the United States do further agree to pay to the Ioway tribe, five hundred dollars, annually, for the term of ten succeeding years.

Acknowledg-
ments of said
Indians.

Art. 3. The chiefs and head men who sign this treaty, for themselves, and in behalf of their tribe, do acknowledge that the lands east and south of the lines described in the first article, (which has been run and marked by Colonel Sullivan,) so far as the Indians claimed the same, to belong to the United States, and that none of their tribe shall be permitted to settle or hunt upon any part of it, after 1st day of January, one thousand eight hundred and twenty-six, without special permission from the superintendent of Indian affairs.

Declare them-
selves under
the protection
of the United
States.

Art. 4. The undersigned chiefs, for themselves, and all parts of the Ioway tribe, do acknowledge themselves and the said Ioway tribe, to be under the protection of the United States of America, and of no other sovereign whatsoever; and they also stipulate, that the said Ioway tribe will not hold any treaty with any foreign powers, individual state, or with individuals of any state.

Assistance to
be rendered
them.

Art. 5. The United States engage to provide and support a blacksmith for the Ioway tribe, so long as the president of the United States may think proper, and to furnish the said tribe with such farming utensils and cattle, and to employ such

persons to aid them in their agriculture, as the president may deem expedient.

Art. 6. The annuities stipulated to be paid by the second article, to be paid either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid tribe; and when the said annuities, or any part thereof, is paid in merchandise, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation. Payment of annuities.

Art. 7. This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof. To take effect when ratified.

In testimony whereof, the said William Clark, commissioner as aforesaid, and the chiefs and head men of the Ioway tribe of Indians, as aforesaid, have hereunto set their hands the day and year first before written.

Wm. Clark,	l. s.
Ma-hos-kah, (White Cloud,) his x mark,	l. s.
Mah-ne-hah-nah, (Great Walker,) his x mark,	l. s.

Witnesses present:

Thos. L. McKenney,
G. W. Kennerly, *Indian agent*,
Law. Taliaferro, *Indian agent at St. Peter's*,
A. Baronet Vasques, *Act. sub agt. and interpreter*,
Meriwether Lewis Clark,
John W. Johnson,
William P. Clark,
William Radford.

CHAPTER XXI.

Treaties with the Kansas.

No. 1. A treaty of peace and friendship made and concluded between Ninian Edwards and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part; and the undersigned chiefs and warriors of the Kansas tribe of Indians, on the part and behalf of their said tribe, of the other part. Treaty with the Kansas.

The parties being desirous of re-establishing peace and friendship between the United States and their said tribe, and of being placed, in all things, and in every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles: Parties desirous of re-establishing peace.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other shall be mutually forgiven and forgot. Injuries to be mutually forgiven.

perpetual
peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Kansas tribe, and all the friendly relations that existed between them before the war, shall be, and the same are hereby renewed.

Protection of
U. S. ac-
knowledge.

Art. 3. The undersigned chiefs and warriors for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

In witness whereof, the said Ninian Edwards and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-eighth day of October, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Ninian Edwards,
Auguste Chouteau,
Cayezettanzaw, or the big chief, his x mark,
Needapy, his x mark,
Hazeware, or the buck clk running after the dog,
his x mark,
Wahanzasby, or the endless, his x mark,
Cayebasneenzaw, or the little chief, his x mark,
Manshenscaw, or the white plume, his x mark,
Cayegettsazesheengaw, or the old chief, his x mark,
Mocupamawny, or the walking cloud, his x mark,
Washanzare, his x mark,
Ezashabe, his x mark,
Kaehamony, or the floating down stream, his x mark,
Opasheeza, his x mark,
Karashsheenzaw, or the little crow, his x mark,
Metanezaw, or the foolish robe, his x mark,
Wehurasudze, or the Red Eagle, his x mark,
Necolebran, or he who can smell a man, his x mark,
Mannanedze, his x mark,
Watankezaw, his x mark,
Taritchu, or the cow's rib.

Done at St. Louis, in presence of

R. Wash, *secretary to the commission*,
R. Paul, *C. T. of the C.*
Ja. Kennerly, *C. I. dept.*
Christian Witt,
Gabriel S. Chouteau, *ensign M. M.*
G. H. Kennerly,
Thomas Forsyth, *I. agent*,
Taylor Berry,
Antoine Barada, } *interpreters.*
Paul Desjardins, }

Treaty with
the Kansas.

Art. 2. Articles of a treaty, made and concluded at the city of Saint Louis, in the state of Missouri, between William Clark, superintendent of Indian affairs, commissioner on the part of the United States of America, and the undersigned chiefs, head men, and warriors of the Kansas nation of Indians, duly authorized and empowered by said nation.

Lands ceded
to the U. S.

Art. 1. The Kansas do hereby cede to the United States all the lands lying within the state of Missouri, to which the

said nation have title or claim ; and do further cede and relinquish, to the said United States, all other lands which they now occupy, or to which they have title or claim, lying west of the said state of Missouri, and within the following boundaries : beginning at the entrance of the Kansas river into the Missouri river ; from thence north to the north-west corner of the state of Missouri ; from thence westwardly to the Node-wa river, thirty miles from its entrance into the Missouri ; from thence to the entrance of the big Nemahaw river into the Missouri, and with that river to its source ; from thence to the source of the Kansas river, leaving the old village of the Pania Republic to the west ; from thence, on the ridge dividing the waters of the Kansas river from those of the Arkansas, to the western boundary of the state line of Missouri, and with that line, thirty miles, to the place of beginning.

Art. 2. From the cession aforesaid, the following reservation for the use of the Kansas nation of Indians shall be made, of a tract of land, to begin twenty leagues up the Kansas river, and to include their village on that river ; extending west thirty miles in width, through the lands ceded in the first article, to be surveyed and marked under the direction of the president, and to such extent as he may deem necessary, and at the expense of the United States. The agents for the Kansas, and the persons attached to the agency, and such teachers and instructors as the president shall authorize to reside near the Kansas, shall occupy, during his pleasure, such lands as may be necessary for them within this reservation.

Reservation
for the use of
the Kansas.

Persons to be
attached to the
agency to occupy
lands,
&c.

Art. 3. In consideration of the cession of land and relinquishments of claims, made in the first article, the United States agree to pay to the Kansas nation of Indians, three thousand five hundred dollars per annum, for twenty successive years, at their villages, or at the entrance of the Kansas river, either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid nation ; and when the said annuities, or any part thereof, is paid in merchandise, it shall be delivered to them at the first cost of the goods in Saint Louis, free of transportation.

Annuity of
\$3,500 to be
paid to the
Kansas.

Art. 4. The United States, immediately upon the ratification of this convention, or as soon thereafter as may be, shall cause to be furnished to the Kansas nation, three hundred head of cattle, three hundred hogs, five hundred domestic fowls, three yoke of oxen, and two carts, with such implements of agriculture as the superintendent of Indian affairs may think necessary ; and shall employ such persons to aid and instruct them in their agriculture, as the president of the United States may deem expedient ; and shall provide and support a blacksmith for them.

Cattle, hogs,
&c. to be delivered to the
Kansas ; and
persons to
teach agriculture to be employed.

Art. 5. Out of the lands herein ceded by the Kansas nation to the United States, the commissioner aforesaid, in be-

30 sections of
land reserved
to raise a
school fund.

half of the said United States, doth further covenant and agree, that thirty-six sections of good land, on the Big Blue river, shall be laid out under the direction of the president of the United States, and sold for the purpose of raising a fund, to be applied, under the direction of the president, to the support of schools for the education of the Kansas children, within their nation.

Reservations
in favor of half
breeds.

Art. 6. From the lands above ceded to the United States, there shall be made the following reservations, of one mile square, for each of the half-breeds of the Kansas nation, viz: For Adel and Clement, the two children of Clement; for Josette, Julie, Pelagie, and Victoire, the four children of Louis Gonvil; for Marie and Lafleche, the two children of Baptiste Gonvil; for Laventure, the son of Francis Laventure; for Elizabeth and Pierre Carbonau, the children of Pierre Brisa; for Louis Joncas; for Bazil Joncas; for James Joncas; for Elizabeth Datcherute, daughter of Baptiste Datcherute; for Joseph Butler; for William Rodgers; for Joseph Cote; for the four children of Cicili Compare, each one mile square; and one for Joseph James, to be located on the north side of the Kansas river, in the order above named, commencing at the line of the Kansas reservation, and extending down the Kansas river for quantity.

Citizens to be
paid for prop-
erty destroy-
ed.

Art. 7. With the view of quieting all animosities which may at present exist between a part of the white citizens of Missouri and the Kansas nation, in consequence of the lawless depredations of the latter, the United States do further agree to pay to their own citizens, the full value of such property as they can legally prove to have been stolen or destroyed since the year 1815. Provided, the sum so to be paid by the United States shall not exceed the sum of three thousand dollars.

Francis G.
Chouteau to
be paid for
credits given
by him to the
Kansas.

Art. 8. And whereas the Kansas are indebted to Francis G. Chouteau, for credits given them in trade, which they are unable to pay, and which they have particularly requested to have included and settled in the present treaty; it is, therefore, agreed on, by and between the parties to these presents, that the sum of five hundred dollars, towards the liquidation of said debt, shall be paid by the United States to the said Francis G. Chouteau.

\$4,000 in
merchandise
and horses to
be paid to the
Kansas.

Art. 9. There shall be selected at this place such merchandise as may be desired, amounting to two thousand dollars, to be delivered at the Kansas river, with as little delay as possible; and there shall be paid to the deputation now here, two thousand dollars in merchandise and horses, the receipt of which is hereby acknowledged; which, together with the amount agreed on in the 3d and 4th articles, and the provisions made in the other articles of this treaty, shall be considered as a full compensation for the cession herein made.

Art. 10. Lest the friendship which is now established between the United States and the said Indian nation should be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made by the party injured, to the other by the said nation, to the superintendent, or other person appointed by the president to the chiefs of said nation. And it shall be the duty of the said chiefs, upon complaints being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the state or territory where the offence may have been committed; and in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said nation, the person or persons so offending shall be tried, and, if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the Kansas shall, to the utmost of their power, exert themselves to recover horses or other property which may be stolen from any citizen or citizens of the United States, by any individual or individuals of the nation; and the property so recovered shall be forthwith delivered to the superintendent, or other person authorized to receive it, that it may be restored to its proper owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be adduced that such property was actually stolen, by any Indian or Indians belonging to the said nation, the superintendent or other officer may deduct from the annuity of the said nation a sum equal to the value of the property which has been stolen. And the United States hereby guarantee, to any Indian or Indians, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: Provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said nation of Kansas engage, on the requisition or demand of the president of the United States, or of the superintendent, to deliver up any white man resident amongst them.

No private revenge to be taken, &c.

Persons offending to be delivered up.

Stolen horses or other property to be restored.

Indemnification for property stolen from Indians.

Kansas to deliver up white men.

Art. 11. It is further agreed on, by and between the parties to these presents, that the United States shall forever enjoy the right to navigate freely all water-courses or navigable streams within the limits of the tract of country herein reserved to the Kansas nation; and that the said Kansas nation shall never sell, relinquish, or in any manner dispose of the lands herein reserved, to any other nation, person or persons whatever, without the permission of the United States for that purpose first had and obtained. And shall ever remain under the protection of the United States, and in friendship with them.

Free navigation.

Kansas not to dispose of their lands; and to be under the protection of the U. States.

Treaty to take
effect when
ratified.

Art. 12. The treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall be ratified by the president, by and with the consent and advice of the senate of the United States.

In testimony whereof, the said William Clark, commissioner as aforesaid, and the deputation, chiefs, head men, and warriors of the Kansas nation of Indians, as aforesaid, have hereunto set their hands and seals, this third day of June, in the year of our Lord eighteen hundred and twenty-five, and of the independence of the United States of America the forty-ninth year.

William Clark,
Nom-pa-wa-zah, or the White Plume, his x mark,
Ky-he-ga-wa-ti-nin-ka, his x mark, or the Full Chief,
Ky-he-ga-wa-che-he, his x mark, or the Chief of great valor,
Ky-he-ga-shin-ga, his x mark, or the Little Chief,
Ke-ba-ra-hu, his x mark,
Me-chu-chin-ga, his x mark, or the Little White Bear,
Hu-ru-sh-te, his x mark, or the Real Eagle,
Ca-she-se-gra, his x mark, or the track that sees far,
Wa-can-da-ga-tun-ga, his x mark, or the Great Doctor,
O-pa-she-ga, his x mark, or the Cooper,
Cha-ho-nush, his x mark,
Ma-he-ton-ga, his x mark, or the American.

Witnesses present :

R. Wash, *secretary*,
W. B. Alexander, *sub Indian agent*,
John F. A. Sanford,
G. C. Sibley, *United States' commissioner*,
Baronet Vasquez, *United States' S. agent*,
Russel Farnham,
Jno. K. Walker,
Jno. Simonds, Jr.
Sanderson Robert,
L. T. Honore, *U. S. Insptr.*
William Milburn,
Baptis Ducherut, *interpreter for Kansas*,
Paul Louise, his x mark, *Oaage interpreter*,
Noel Dashnay, *interpreter*,
Ant. Le Claire, *interpreter*.

CHAPTER XXII.

Treaty with the Winnebagoes.

Treaty with
the Winneba-
goes.

No. 1. A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of that portion of the Winnebago tribe or nation residing on the Ouisconsin river, of the other part.

Winnebagoes
on the Ouis-

Whereas the undersigned chiefs and warriors, as well as that portion of the nation which they represent, have sepa-

rated themselves from the rest of their nation, and reside in a village on the Ouisconsin river, and are desirous of returning to a state of friendly relations with the United States, the parties hereto have agreed to the following articles:

Art. 1. Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot; and all the friendly relations that existed between them before the late war, shall be, and the same are hereby, renewed.

Art. 2. The undersigned chiefs and warriors, for themselves and those they represent, do, by these presents, confirm to the United States all and every cession of land heretofore made by their nation to the British, French, or Spanish government, within the limits of the United States, or their territories; and also, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said tribe or nation, as far as their interest in the same extends.

Art. 3. The undersigned chiefs and warriors as aforesaid, for themselves and those they represent, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatever.

Art. 4. The aforesaid chiefs and warriors, for themselves and those they represent, do further promise to remain distinct and separate from the rest of their tribe or nation, giving them no aid or assistance whatever, until peace shall also be concluded between the United States and the said tribe or nation.

Art. 5. The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at Prairie du Chien, to be by him restored to the respective parties hereto, as soon as it may be practicable.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names, and affixed their seals, this third day of June, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States the fortieth.

Wm. Clark,
Ninian Edwards,
Aug. Chouteau,
Choukeka, or Dekare, the spoon, his x mark,
Onunaka, or Karamanu, his x mark,
Achahouska, the White Sky, his x mark,
Chesapinka, the Good House, his x mark,
Makamka, the Earth, his x mark,
Wechoka, the Green Feather, his x mark,
Shougkapar, the Dog, his x mark,
Nekousaa, the Main Channel, his x mark,

Wapanoneker, the Bear, his x mark,
Opwarchickwaka, the Rain, his x mark,
Chepurganika, the Little Buffalo Head, his x mark,

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
R. Paul, *C. T. of the C.*
Wm. O. Allen, *captain U. S. corps of artillery*,
N. Boilvin, *agent*,
Thomas Forsyth, *I. agent*,
Maurice Blondeaux, *I agent*,
Henry Delorier, *interpreter*,
Pierre Lapointe, *interpreter*,
Baptiste Pereault, *interpreter*,
Samuel Solomon, *interpreter*,
Jacques Mette, *interpreter*.

[This appears to be the first treaty to which the Winnebagoes are, under that name, parties. The name of one "Winnebago from Mackinac" appears to the treaty of Springwells, 8th September, 1815, (ante, chap. 3, No. 13,) purporting to be a treaty with the Wyandot, Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Potawatamie tribes of Indians, residing within the limits of the state of Ohio, and the territories of Indiana and Michigan, and if the Winnebagoes were parties to that treaty, this is the only indication of it.]

CHAPTER XXIII.

Treaty with the Menomenees.

Treaty with
the Menome-
nees.

No. 1. A treaty of peace and friendship made and concluded by and between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors, deputed by the Menominee tribe or nation of Indians, on the part and behalf of their said tribe or nation, of the other part.

Parties desir-
ous of re-es-
tablishing
peace and
friendship.

The parties, being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war, have agreed to the following articles :

Injuries, &c.
forgiven and
forgot.

Art. 1. Every injury, or act of hostility, by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Perpetual
peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals composing the said Menominee tribe or nation.

Former ces-
sions of land
and former
treaties con-
firmed.

Art. 3. The undersigned chiefs and warriors, on the part and behalf of their said tribe or nation, do, by these presents, confirm to the United States all and every cession of land heretofore made by their tribe or nation to the British, French, or Spanish, government, within the limits of the United States, or their territories ; and also, all and every treaty, contract, and

agreement, heretofore concluded between the said United States and the said tribe or nation.

Art. 4. The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at Prairie du Chien, to be by him restored to the respective parties hereto, as soon as it may be practicable. All prisoners to be delivered up.

Art. 5. The undersigned chiefs and warriors as aforesaid, for themselves and those they represent, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatsoever. The tribe under the protection of the United States.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors, as aforesaid, have hereunto subscribed their names and affixed their seals, this thirtieth day of March, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

William Clark,
Ninian Edwards,
Auguste Chouteau,
Towanapee, Roaring Thunder, his x mark,
Weekay, the Calumet Eagle, his x mark,
Muequomota, the Fat of the Bear, his x mark,
Wacauon, or Shomin, his x mark,
Warbano, the Dawn, his x mark,
Inemikee, Thunderer, his x mark,
Lebarnaco, the Bear, his x mark,
Karkundego, his x mark,
Shashamanee, the Elk, his x mark,
Penoname, the Running Wolf, his x mark.

Done at St. Louis, in the presence of,

R. Wash, secretary to the commissioners,
R. Graham, U. S. A. for Illinois territory,
T. Harrison,
Nimrod H. Moore,
S. Gantt, *lieut. U. S. army*,
C. M. Price,
Richard T. McKenney,
Amos Kibbe,
Nathaniel Mills,
Samuel Solomon.

[This appears to be the first treaty to which the Menomonees are parties, under that name; and if they were parties to any previous treaties, there is nothing which indicates them.]

CHAPTER XXIV.

Treaties with the Ottos.

Treaty with
the Ottos.

No. 1. A treaty of peace and friendship made and concluded between William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors, of the Ottos tribe of Indians, on the part and behalf of their said tribe, of the other part.

Parties desir-
ous of re-es-
tablishing
peace and
friendship.

The parties being desirous of re-establishing peace and friendship between the United States and their said tribe, and of being placed, in all things, and in every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

Injuries, &c.
forgiven and
forgot.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace, &c.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Ottos tribe, and all the friendly relations that existed between them before the war, shall be, and the same are hereby renewed.

The tribe un-
der the pro-
tection of the
United States.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-fourth day of June, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

William Clark,
Auguste Chouteau.

OTTOES.

Chongatonga, Big Horse, his x mark,
Histaahone, Big Eyes, his x mark,
Mihahande, Eldest Daughter, his x mark,
Kanseepea, the Kansee Head, his x mark,
Montistonga, Pewter, his x mark,
Pahagranga, Auguste, his x mark,
Watokieka, the Runner, his x mark,
Mantocakiepa, Meeting of Bear, his x mark,
Achieya, Broken Arm, his x mark,
Wathapayignet, the Small Bear, his x mark,
Mantoeignet, the Little Bow, his x mark,
Wapoutraska, White Nostrils, his x mark.

MISSOURIES.

Tarposta, Son of the Priest, his x mark,
Kahhehpah, Crow Head, his x mark,

Harahkratón, the Sparrow Hawk, his x mark,
Tawequa, the Little Deer, his x mark,
Chanohato, Buffalo Hump, his x mark.

Witnesses present :

Lewis Bissell, *acting secretary*,
Manuel Lisa, *U. S. Ind. ag.*
Benjamin O. Fallon, *U. S. Indian agent*,
W. Suigely,
Geo. G. Taylor,
W. Tharp,
Michl. E. Immell,
P. J. Naisior,
Sam. Solomon, *Interpreter*,
Stephen Julien, *U. S. Indian interpreter*,
Gabriel S. Chouteau, *2d lieut. M. M.*
Joseph Lafleche, *interpreter*, his x mark.

No. 2. For the purpose of perpetuating the friendship which has heretofore Treaty with existed, as also to remove all future cause of discussion or dissension, as it the Ottos.
respects trade and friendship between the United States and their citizens, and the Ottoo and Missouri tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the said Ottoo and Missouri tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Ottoo and Missouri tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Ottoo and Missouri tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Ottoo and Missouri tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Ottoo and Missouri tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the said Ottoo and Missouri tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally

Admit themselves to be within the limits of the U. S. and under their protection. U. S. to regulate trade.

U. States extend friendship and protection.

Trade to be carried on at places to be designated by the president.

Licensed traders to be admitted, and protection to be afforded to them by the Ottos.

Foreigners
and others not
authorized,
excluded from
their country.

Agents and
others sent by
U. States to
be protected.

Citizens trad-
ing to New
Mexico not to
be molested.

Private re-
venge for in-
juries prohib-
ited.

Mode of pro-
ceeding in case
of injury done
to either party.

Property stol-
en from citi-
zens to be
restored.

Indemnity to
the Indians
guaranteed for
property stol-
en from them.

White men to
be delivered
up.

employed under them, whilst they remain within the limits of their particular district of country. And the said Ottoo and Missouri tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Ottoo and Missouri tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Ottoo and Missouri tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Ottoo and Missouri tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid; promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war. Indians hostile to U. States not to be supplied with implements of war.

Done at fort Atkinson, Council Bluffs, this 26th day of September, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Ottoe and Missouri tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. Army,	
Benj. O'Fallon, U. S. agt. Ind. aff.	
Ish-na-wong-ge-ge-he, the only Chief,	x
Me-ha-hun-jah, the Big Female,	x
Shunk-co-pe,	x
Sho-mon-e-ka-sa, the Prairie Wolf,	x
Wong-ge-ge-he, the Chief,	x
Waw-zob-e-ing-ge, the Little Black Bear,	x
Eho-che-nung-a, the Mad Man,	x
E-ke-shaw-mon-ne, the Walking Bear,	x
Waw-ne-sung-e, the one who beats down,	x
Waw-ro-ne-sa, the Bullet,	x
Wa-do-ke-ga,	x
Waw-paw-si-ar,	x
Taw-ing-ee, the Little Deer,	x
Gray-tan-in-ca, the Sparrow Hawk,	x
Raw-no-way-braw, the Broken Pipe,	x
Non-jah-ning-e, the No Heart,	x
Mon-to-ing-ge, the Little White Bear,	x
Moak-ca-gaw-ha,	x

In presence of

A. L. Langham, *secretary to the commission,*
 A. R. Wolley, *lieut. col. U. S. A.*
 B. Riley, *captain 6th inf.*
 J. Gantt, *captain 6th inf.*
 John Gale, *surgeon U. S. army,*
 Wm. N. Wickliffe, *lieut. U. S. A.*
 G. W. Folger, *lieut. 6th U. S. inf.*
 J. Rogers, *lieut. 6th inf.*
 Levi Nute, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 A. Richardson, *lieut. 6th inf.*
 J. Nichols, *lieut. 6th inf.*
 G. H. Crosman, *lieut. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agent,*
 W. W. Eaton, *lieut. 6th inf.*
 Michael Burdeau, *his x mark, Maha interpreter,*
 William Rodgers.

CHAPTER XXV.

Treaties with the Poncarars.

Treaty with
the Poncarars.

No. 1. A treaty of peace and friendship made and concluded between William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors of the Poncarar tribe of Indians, on the part and of their said tribe of the other part.

The parties
desirous of re-
establishing
peace and
friendship.

The parties being desirous of re-establishing peace and friendship between the United States and their said tribe, and of being placed, in all things and every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles :

Injuries, &c.
forgiven and
forgot.

Art. 1. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
peace and
friendship.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Poncarar tribe ; and all the friendly relations that existed between them before the war shall be, and the same are hereby renewed.

The tribe under
the protection of the
United States.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign whatever.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-fifth day of June, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

Wm. Clark,
Auguste Chouteau,
Aquelaba, the Fighter, his x mark,
Gradonga, Fork-tailed Hawk, his x mark,
Shondagaha, Smoker, his x mark,
Kihegashinga, Little Chief, his x mark,
Necawcompe, the Handsome Man, his x mark,
Ahalipah, the Rough Buffalo Horn, his x mark,
Showeno, the Comer, his x mark,
Bardegara, he who stands fire, his x mark.

Witnesses present :

Lewis Bissel, acting secretary to the commissioners,
Manuel Lisa, U. S. Indian agent,
Benja. O'Fallon, U. S. Indian agent,
R. Graham, Indian agent for Illinois,
Dr. Wm. J. Clarke,
B. Vasques,
Saml. Solomon, interpreter,
Stephen Julien, U. S. Indian interpreter,
Joseph Lafleche, interpreter.

No. 2. For the purposes of perpetuating the friendship which has heretofore Treaty with existed, as also to remove all future cause of discussion or dissension, as it the Poncars.* respects trade and friendship between the United States and their citizens, and the Poncar tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors of the Poncar tribe of Indians, on behalf of said tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Poncar tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them. Poncars admit themselves to be in the limits of the U. S. and claim protection.

Art. 2. The United States agree to receive the Poncar tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States. U. States extend friendship and protection, &c.

Art. 3. All trade and intercourse with the Poncar tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians. Trade to be carried on at places to be designated by the president of the U. S.

Art. 4. That the Poncar tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Poncar tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of the Poncar district of country. And the said Poncar tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them. Licensed traders to be admitted and protected. Foreigners excluded. Agents and other persons sent by the U. States to be protected.

* Though the name is spelt a little differently, presumed to be the same Indians as those who are parties to the preceding number of this chapter.

No private revenge for injuries to be taken, &c.

Mode of proceeding in case of injury done by either party.

Stolen horses to be recovered and delivered up, &c.

Indemnity for property stolen from Indians guaranteed.

White men to be delivered up.

Art. 5. That the friendship which is now established between the United States and the Poncar tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place; but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Poncar tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Poncar tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Poncar Village, at the mouth of White Pine Creek, the first below the Qui Carre River, this 9th day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men and warriors, of the Poncar tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.
Shu-de-gah-be, or He who makes Smoke,

Ish-ca-da-bee, or Child Chief,	x
Wah-ha-nee-che, or He who hides something,	x
Wah, or The Hoe,	x
O-nam-ba-haa, or Lightning,	x
Ti-e-kee-ree, or Big Head with tangled hair	x
Wa-we-shu-shee, or The Brave,	x
Ou-de-cowee, or the one that has been wounded,	x
Ne-ou-gree, or Prairie apple,	x
Woh-ge-a-mussee, or The flying iron,	x
Pee-la-ga, or Buffalo,	x
Wah-buc-kee, or The bull that leads,	x
Wah-ha-nega, or He that has no knife,	x
Mah-shar-harree, or He walks on land,	x
Mach-souch-kee-na-pabee, or He that fears no bears,	x
Ca-hec-tha-bee, or Black raven,	x
Gah-he-ga, or The relative of the Chiefs,	x
Na-hec-tapee, or He that stamps,	x
Na-ne-pa-shee, or One that knows,	x

Witnesses :

H. Leavenworth, *col. U. S. army,*
 S. W. Kearny, *br. maj. 1st inf.*
 D. Ketchum, *major U. S. army,*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 John Gale, *surgeon U. S. army,*
 J. Gantt, *capt. 6th inf.*
 Wm. Armstrong, *capt. 6th regt. inf.*
 S. Mac Ree, *lieut. 1st inf.*
 J. Rogers, *lieut. 6th inf.*
 Thomas Noel, *lieut. 6th inf.*
 S. Wragg, *adj. 1st regt. inf.*
 R. Holmes, *lieut. 6th inf.*
 Thos. P. Gwynn, *lieut. 1st inf.*
 Levi Nute, *lieut. 6th inf.*
 Jas. W. Kingsbury, *lieut. 1st regt. I.*
 M. W. Batman, *lieut. 6th inf.*
 Wm. L. Harris, *1st inf.*
 R. M. Coleman, *A. surgeon U. S. A.*
 Wm. Gordon,
 A. Langman,
 P. X. Promo,
 A. L. Langham, *sec. to the commission.*

CHAPTER XXVI.

Treaties with the Quapaws.

No. 1. A treaty of friendship, cession, and limits, made and entered into, this Treaty with twenty-fourth day of August, eighteen hundred and-eighteen, by, and between, William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States, of the one part, and the undersigned chiefs and warriors of the Quapaw tribe or nation, on the part and behalf of their said tribe or nation, of the other part.

Art. 1. The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby acknowledge themselves to be under the protection of the United States, and of no other state, power, or sovereignty, whatsoever.

The Quapaws acknowledge themselves under the protection of the U. States.

Cession of
lands.

(* A map accompanies the original treaty.)

Reservation from the cession.

The reservation to be surveyed at the expense of the United States; and the Quapaws not to sell without their consent.

The Quapaws may hunt within the ceded territory, until, &c.

No person to settle on the lands reserved for the Quapaws.

Citizens of the U. S. to pass without toll through the Quapaw reservation.

Goods to be delivered im-

Art. 2. The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby, for, and in consideration of, the promises and stipulations hereinafter named, cede and relinquish to the United States, forever, all the lands within the following boundaries, viz: Beginning at the mouth of the Arkansaw river; thence, extending up the Arkansaw, to the Canadian fork, and up the Canadian fork to its source; thence south, to Big Red river, and down the middle of that river, to the Big Raft; thence, a direct line, so as to strike the Mississippi river, thirty leagues in a straight line, below the mouth of Arkansaw; together with all their claims to land east of the Mississippi, and north of the Arkansaw river, included within the coloured lines 1, 2, and 3, on the above map,* with the exception and reservation following, that is to say: the tract of country bounded as follows: Beginning at a point on the Arkansaw river, opposite the present post of Arkansaw, and running thence, a due southwest course, to the Washita river; thence, up that river, to the Saline fork; and up the Saline fork to a point, from whence a due north course would strike the Arkansaw river at the Little Rock; and thence, down the right bank of the Arkansaw, to the place of beginning: which said tract of land, last above designated and reserved, shall be surveyed and marked off, at the expense of the United States, as soon as the same can be done with convenience, and shall not be sold or disposed of, by the said Quapaw tribe or nation, to any individual whatever, nor to any state or nation, without the approbation of the United States first had and obtained.

Art. 3. It is agreed, between the United States and the said tribe or nation, that the individuals of the said tribe or nation shall be at liberty to hunt within the territory by them ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury or annoyance to any of the citizens of the United States, and until the said United States may think proper to assign the same, or any portion thereof, as hunting grounds to other friendly Indians.

Art. 4. No citizen of the United States, or any other person, shall be permitted to settle on any of the lands hereby allotted to, and reserved for, the said Quapaw tribe or nation, to live and hunt on; yet it is expressly understood and agreed on, by, and between, the parties aforesaid, that, at all times, the citizens of the United States shall have the right to travel and pass freely, without toll or exaction, through the Quapaw reservation, by such roads or routes as now are, or hereafter may be, established.

Art. 5. In consideration of the cession and stipulations aforesaid, the United States do hereby promise and bind them-

selves to pay and deliver to the said Quapaw tribe or nation, immediately upon the execution of this treaty, goods and merchandise to the value of four thousand dollars, and to deliver, or cause to be delivered, to them, yearly, and every year, goods and merchandise to the value of one thousand dollars, to be estimated in the city or place, in the United States, where the same are procured or purchased.

Art. 6. Lest the friendship which now exists between the United States and the said tribe or nation, should be interrupted by the misconduct of individuals, it is hereby agreed, that, for injuries done by individuals, no private revenge or retaliation shall take place; but, instead thereof, complaints shall be made by the party injured, to the other; by the tribe or nation aforesaid, to the governor, superintendent of Indian affairs, or some other person authorized and appointed for that purpose; and by the governor, superintendent, or other person authorized, to the chiefs of the said tribe or nation. And it shall be the duty of the said tribe or nation, upon complaint being made, as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the state or territory where the offence may have been committed; and, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians, belonging to the said tribe or nation, the person or persons so offending shall be tried, and, if found guilty, punished in like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribe or nation shall, to the utmost of their power, exert themselves to recover horses, or other property, which may be stolen from any citizen or citizens of the United States, by any individual or individuals of the said tribe or nation; and the property so recovered, shall be forthwith delivered to the governor, superintendent, or other person authorized to receive the same, that it may be restored to the proper owner. And in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen, as aforesaid, if sufficient proof can be obtained that such property was actually stolen by an Indian or Indians, belonging to the said tribe or nation, a sum, equal to the value of the property which has been stolen, may be deducted, by the United States, from the annuity of said tribe or nation. And the United States hereby guarantee to the individuals of the said tribe or nation, a full indemnification for any horse or horses, or other property, which may be taken from them by any of their citizens: Provided, the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen or citizens of the United States.

mediately,
and annually
thereafter.

No private
revenge for in-
juries by indi-
viduals; but
complaints to
be made by
the one party
to the other.

Quapaws to
deliver up of-
fenders for
trial and pun-
ishment.

Offences
against Indians
to be punished
in like man-
ner.

Indians to ex-
ert themselves
to recover
stolen horses
and other prop-
erty.

Deduction for
property stolen,
and not
recovered, to
be made from
annuity.

Indemnifica-
tion for prop-
erty stolen
from Indians
by citizens.

Treaty obligatory when ratified.

Art. 7. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the United States, by and with the advice and consent of the senate.

William Clark,
 Aug. Chouteau, †
 Kfakaton, or the Dry Man, his x mark,
 Hradapaa, or the Eagle's Bill, his x mark,
 Mahraka, or Buck Wheat, his x mark,
 Honkadagni, his x mark,
 Wagonkedatton, his x mark,
 Hradaskamonmini, or the Pipe Bird, his x mark,
 Patongdi, or the Approaching Summer, his x mark,
 T'ehonka, or the Tame Buffalo, his x mark,
 Hamonmini, or the Night Walker, his x mark,
 Washingteteton, or Mocking Bird's Bill, his x mark,
 Hontikani, his x mark,
 Tataonaa, or the Whistling Wind, his x mark,
 Mozatete, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
 R. Paul, *col. M. M. C. I.*
 Jn. Buland, *sub agent, &c.*
 R. Graham, *Indian agent*,
 M. Lewis Clark,
 J. T. Honore, *Indian interpreter*,
 Joseph Bonne, *interpreter*,
 Julius Pescay,
 Stephen Julian, *U. S. Indian interpreter*,
 James Loper,
 William P. Clark.

Treaty with the Quapaws.

No. 2. Articles of a treaty between the United States of America and the Quapaw nation of Indians.

Lands ceded.

Art. 1. The Quapaw nation of Indians cede to the United States of America, in consideration of the promises and stipulations hereinafter made, all claim or title which they may have to lands in the territory of Arkansas, comprised in the following boundaries, to wit: Beginning at a point on the Arkansas river, opposite to the Post of Arkansas, and running thence a due south-west course to the Ouachita river; and thence, up the same, to the Saline fork; and up the Saline fork, to a point from whence a due north-east course will strike the Arkansas river at Little Rock: and thence down the right (or south bank) of the Arkansas river to the place of beginning.

\$500 to be paid the head chiefs, &c. &c.

Art. 2. In consideration of the cession made in the first article of this treaty, by the aforesaid chiefs and warriors, the United States engage to pay to the four head chiefs of the Quapaw nation, the sum of five hundred dollars each, in consideration of the losses they will sustain by removing from their farms and improvements. The payment to be made at the time they receive their annuity for the year 1825. And,

also, to the said nation, the sum of four thousand dollars, to be paid in goods, at the signing of this treaty. And the United States also engage to pay to the Quapaw nation, one thousand dollars in specie, annually, for the term of eleven years, in addition to their present annuity.

Art. 3. The United States hereby guarantee to the said nation of Indians, the same right to hunt on the lands by them hereby ceded, as was guaranteed to them by a treaty concluded at St. Louis, on the 24th of August, 1818, between the said Quapaw nation of Indians and William Clark and Auguste Chouteau, commissioners on the part of the United States. Rights guaranteed them.

Art. 4. The Quapaw tribe of Indians will hereafter be concentrated and confined to the district of country inhabited by the Caddo Indians, and form a part of said tribe. The said nation of Indians are to commence removing to the district allotted them, before the twentieth day of January, one thousand eight hundred and twenty-six. To be confined to the district of country inhabited by the Caddo Indians.

Art. 5. For the purpose of facilitating the removal of the said tribe, to the district of country allotted them, and as a compensation for the losses sustained, and the inconveniences to which they may be exposed by said removal, the United States will furnish them with corn, meat, and salt, for six months, from the first day of January, one thousand eight hundred and twenty-six. The United States further agree to furnish a sum not exceeding one thousand dollars, to be expended by their agent, to facilitate the transportation of the said tribe to the district of country herein assigned them. An agent, sub-agent, or interpreter, shall be appointed to accompany said tribe, and to reside among them. Corn, meat, &c. to be allowed them for certain purposes, for six months.

Art 6. From the cession aforesaid, there shall be reserved to James Scull, in consideration of a debt of seven thousand five hundred dollars, due to him from the Quapaw nation, and recognized in open council, two sections of land commencing on the Arkansas River, opposite to Mrs. Embree's, and running up and back from said river for quantity. And the United States guarantee to the Quapaw nation the payment of the said debt of seven thousand five hundred dollars, either by the ratification of the grant made in this article, or by the payment of said amount in money, exclusive of the amount stipulated to be paid to the said nation by this treaty. \$7500 to be reserved to Jas. Scull.

Art. 7. There shall be granted by the United States, to the following persons, being Indians by descent, the following tracts of land: To Francois Imbeau, one quarter section of land, commencing at a point on the Arkansas river, opposite the upper end of Wright Daniel's farm, and thence, up and back from said river for quantity. To Joseph Duchassin, one quarter section of land, commencing at the lower corner of the quarter section granted to Francois Imbeau, and running down and Tracts of land granted to certain persons, Indians by descent.

back from said river for quantity. To Saracen, a half-breed Quapaw, eighty acres of land, to be laid off so as to include his improvement, where he now resides, opposite Vaugine's. To Baptiste Socie, eighty acres of land, lying above and adjoining Saracen's grant. To Joseph Bonne, eighty acres of land, lying above and adjoining Socie's grant. To Baptiste Bonne, eighty acres of land, lying above and adjoining Joseph Bonne's grant. To Lewis Bartelmi, eighty acres of land lying above and adjoining Baptiste Bonne's grant. To Antoine Duchassin, eighty acres of land, lying above and adjoining Bartelmi's grant. To Baptiste Imbeau, eighty acres of land, lying above and adjoining A. Duchassin's grant. To Francois Coupot, eighty acres of land, lying above and adjoining Baptiste Imbeau's grant. To Joseph Valliere, eighty acres of land, lying above and adjoining Francois Coupot's grant. All the said tracts of land shall be laid off, so as to conform to the lines of the United States' surveys, and binding on the Arkansas river.

To take effect
when ratified.

Art. 8. This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the senate of the United States.

In testimony whereof, the commissioner on the part of the United States, Robert Crittenden, and the undersigned
[L s.] chiefs and warriors of the said nation, have hereunto subscribed their names and affixed their seals.

Done at Harrington's, in the territory of Arkansas, on the fifteenth day of November, A. D. one thousand eight hundred and twenty-four, and of the independence of the United States the forty-ninth.

ROBERT CRITTENDEN, [L s.]

Commissioner on the part of the United States.

Hackehton, his x mark,	l. s.
Tononseka, his x mark,	l. s.
Kiahhacketady, his x mark,	l. s.
Sarazen, his x mark,	l. s.
Kakapah, his x mark,	l. s.
Hunkahkee, his x mark,	l. s.
Wahtonbeh, his x mark,	l. s.
Hunkatugonee, his x mark,	l. s.
Hepahdagonneh, his x mark,	l. s.
Wahehsonjekah, his x mark,	l. s.
Gratonjekah, his x mark,	l. s.
Watuhtezka, his x mark,	l. s.
Dohkuhnonjesabu, his x mark,	l. s.
Kahtalikkonku, his x mark,	l. s.
Hahcrontenah, his x mark,	l. s.

Signed, sealed, and witnessed in presence of

Thomas W. Newton, *secretary to the commission,*
Robert C. Oden, *lieut. col. 2d regt. Arkansas militia,*
F. Farrelly, *adjutant gen. of Arkansas militia,*
B. Harrington,

D. Barber, *sub-agent to the Osages*,
 Gordon Neill,
 Edmund Hogan,
 Thomas W. Johnston,
 Antoine Barrague,
 Etienne Vanyine, *interpreter*,
 Joseph Duchassin, *interpreter*.

CHAPTER XXVII.

Treaty with the Wyandots.

No. 1. Articles of a treaty made and concluded, at St. Mary's, in the state of Ohio, between Lewis Cass, commissioner of the United States, thereto specially authorized by the President of the United States, and the chiefs and warriors of the Wyandot tribe of Indians.

Art. 1. The Wyandot tribe of Indians hereby cede to the United States all the right reserved to them in two tracts of land, in the territory of Michigan, one including the village called Brownstown, and the other the village called Maguagua, formerly in the possession of the Wyandot tribe of Indians, containing in the whole not more than five thousand acres of land; which two tracts of land were reserved for the use of the said Wyandot tribe of Indians, and their descendants, for the term of fifty years, agreeably to the provisions of the act of congress, passed February 28, 1809, and entitled, "An act for the relief of certain Alabama and Wyandot Indians."

The Wyandots cede two tracts of land in Michigan.

Art. 2. In consideration of the preceding cession, the United States will reserve, for the use of the said Wyandot Indians, sections numbered twenty-three, twenty-four, twenty-five, twenty-six; thirty-four, thirty-five, thirty-six, twenty-seven, and that part of section numbered twenty-two, which contains eight acres, and lies on the south side of the river Huron, being in the fourth township, south of the base line, and in the ninth range east of the first meridian, in the territory of Michigan, and containing four thousand nine hundred and ninety-six acres; and the said tract of land shall be reserved for the use of the said Wyandot Indians, and their descendants, and be secured to them in the same manner, and on the same terms and conditions, as is provided in relation to the Alabama Indians, by the first section of the beforementioned act of Congress, except that the said Wyandot Indians, and their descendants, shall hold the said land so long as they or their descendants shall occupy the same.

The United States will reserve certain sections for the Wyandots on the south side of the river Huron.

The reservation to be for the use of the Wyandots and their descendants, &c.

In testimony whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the said Wyandot tribe of Indians, have hereunto set their hands, at St. Ma-

ry's, in the state of Ohio, this twentieth day of September, in the year of our Lord one thousand eight hundred and eighteen.

Lewis Cass,
Bonesass, or Honas, his x mark,
Haunsiaugh, or Boyer, his x mark,
Ronacess, or Racer, his x mark,
Ronioness, or Joseph, his x mark,
Scoutash, his x mark,
Dunquod, or Half King, his x mark,
Aronne, or Cherokee Boy, his x mark,
Taruntne, or Between the Logs, his x mark,

In presence of

R. A. Forsyth, jun. *secretary to the commission*,
John Johnston, *Indian agent*,
B. F. Stickney, *S. I. A.*
W. W. Walker, *interpreter*,
John Conner,
Wm. Turner.

[*Note.* The Wyandots are also parties in common to other treaties, for which see chap. 3, Nos. 1, 2, 3, 5, 6, 8, 9, 12, 13, 16, 17.]

CHAPTER XXVIII.

Treaty with the Miamis.

Treaty with
the Miamis.

No. 1. Articles of a treaty made and concluded, at St. Mary's, in the state of Ohio, between Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners of the United States, and the Miami nation of Indians.

Cession of
lands by the
Miamis.

Art. 1. The Miami nation of Indians cede to the United States the following tract of country: Beginning at the Wabash river, where the present Indian boundary line crosses the same, near the mouth of Racoon creek; thence, up the Wabash river, to the reserve at its head, near fort Wayne; thence, to the reserve at fort Wayne; thence, with the lines thereof, to the St. Mary's river; thence, up the St. Mary's river, to the reservation at the portage; thence, with the line of the cession made by the Wyandot nation of Indians to the United States, at the foot of the rapids of the Miami of lake Erie, on the 29th day of September, in the year of our Lord one thousand eight hundred and seventeen, to the reservation at Loramie's store; thence, with the present Indian boundary line, to fort Recovery; and, with the said line, following the course thereof, to the place of beginning.

Reservations
from the cession
for the
use of the
Miamis.

Art. 2. From the cession aforesaid the following reservations, for the use of the Miami nation of Indians, shall be made; one reservation, extending along the Wabash river, from the mouth of Salamanie river to the mouth of Eel river, and from those points, running due south, a distance equal to a direct line from the mouth of Salamanie river to the mouth of Eel

river. One other reservation, of two miles square, on the river Salamanie, at the mouth of Atchepongqawwe creek. One other reservation, of six miles square, on the Wabash river, below the forks thereof. One other reservation, of ten miles square, opposite the mouth of the river A Bouette. One other reservation, of ten miles square, at the village on Sugar Tree creek. One other reservation, of two miles square, at the mouth of a creek, called Flat Rock, where the road to White river crosses the same.

Art. 3. The United States agree to grant, by patent, in fee simple, to Jean Bapt. Richardville, principal chief of the Miami nation of Indians, the following tracts of land: Three sections of land, beginning about twenty-five rods below his house, on the river St. Mary's, near fort Wayne; thence, at right angles with the course of the river, one mile; and from this line, and the said river, up the stream thereof, for quantity. Two sections, upon the east side of the St. Mary's river, near fort Wayne, running east one mile with the line of the military reservation; thence, from that line, and from the river, for quantity. Two sections, on the Twenty-seven mile creek, where the road from St. Mary's to fort Wayne crosses it, being one section on each side of said creek.

Tracts granted by the U. S. to J. B. Richardville.

Two sections on the left bank of the Wabash, commencing at the forks and running down the river.

The United States also agree to grant to each of the following persons, being Miami Indians by birth, and their heirs, the tracts of land herein described.

To Joseph Richardville and Joseph Richardville, jun. two sections of land, being one on each side of the St. Mary's river, and below the reservation made on that river by the treaty of Greenville, in 1795.*

Other grants.

To Wemetché or the Crescent, one section, below and adjoining the reservation of Anthony Chesne, on the west side of the St. Mary's river, and one section immediately opposite, to Macultamunqua or Black Loon.

To the Crescent.

To Keenquatakqua or Long Hair, Aronzon or Twilight, Peconbequa or a Woman striking, Aughquamauda or Difficulty, and to Miaghqua or Noon, as joint tenants, five sections of land upon the Wabash river, the centre of which shall be the Wyandot village, below the mouth of Tippecanoe river.

To Long Hair and others, as joint tenants.

To Francis Godfroy, six sections of land, on the Salamanie river, at a place called La Petite Prairie.

To F. Godfroy.

To Louis Godfroy, six sections of land, on the St. Mary's river, above the reservation of Anthony Shane.

To L. Godfroy.

* Ante, chap. 3, No. 3.

- To Charley.** To Charley, a Miami chief, one section of land, on the west side of St. Mary's river, below the section granted to Pemetché or the Crescent.
- To eldest children of P. Langlois.** To the two eldest children of Peter Langlois, two sections of land, at a place formerly called Village du Puant, at the mouth of the river called Pouceaupichoux.
- To children of A. Bondie.** To the children of Antoine Bondie, two sections of land, on the border of the Wabash river, opposite a place called l'Isle a l'Aille.
- To F. Lafontaine and son.** To Francois Lafontaine and his son, two sections of land, adjoining and above the two sections granted to Jean Bapt. Richardville, near fort Wayne, and on the same side of the St. Mary's river.
- To children of A. Rivarre.** To the children of Antoine Rivarre, two sections of land, at the mouth of the Twenty-seven mile creek, and below the same.
- To youngest child of P. Langlois.** To Peter Langlois's youngest child, one section of land, opposite the Chipaille, at the Shawanee village.
- To P. Labadie.** To Peter Labadie, one section of land, on the river St. Mary's, below the section granted to Charley.
- To G. Hunt's son.** To the son of George Hunt, one section of land, on the west side of the St. Mary's river, adjoining the two sections granted to Francois Lafontaine and his son.
- To the Little Turtle.** To Meshenoqua or the Little Turtle, one section of land, on the south side of the Wabash, where the portage path strikes the same.
- To J. Beaubien.** To Josette Beaubien, one section of land on the left bank of the St. Mary's, above and adjoining the three sections granted to Jean Bapt. Richardville.
- To Ann Turner.** To Ann Turner, a half-blooded Miami, one section of land on the northwest side of the Wabash river, to commence at the mouth of Fork creek, on the west bank of the said creek, and running up said creek one mile in a direct line, thence at right angles with this line for quantity.
- To Rebecca Hackley.** To Rebecca Hackley, a half-blooded Miami, one section of land, to be located at the Munsee town, on White River, so that it shall extend on both sides to include three hundred and twenty acres of the Prairie, in the bend of the river, where the bend assumes the shape of a horse shoe.
- To W. W. Wells.** To William Wayne Wells, a half-blooded Miami, one section of land at the mouth of the Fork creek, where the reservation for Ann Turner commences, running down the Wabash river on the northwest bank one mile; thence, back one mile; thence, east one mile, to the boundary line of the grant to Ann Turner.
- To Mary Wells.** To Mary Wells, a half-blooded Miami, one section of land at the mouth of Stoney creek, on the southeast side of the Wabash river, the centre of which shall be at the mouth of said

creek, running with the meanders thereof, up and down the Wabash river, one half mile, and thence back for quantity.

To Jane Turner Wells, a half-blooded Miami, one section of land, on the northwest side of the Wabash river, to commence on the west bank of said river, opposite the old lime kiln; thence, down the said river one mile, and back for quantity.

To Jane T. Wells.

Art. 4 The Miami nation of Indians assent to the cession made by the Kickapoos to the United States, by the treaty concluded at Vincennes, on the ninth day of December, one thousand eight hundred and nine. *

The Miami assent to the cession by the Kickapoos.

Art. 5. In consideration of the cession and recognition aforesaid, the United States agree to pay to the Miami nation of Indians, a perpetual annuity of fifteen thousand dollars, which, together with all annuities which, by any former treaty, the United States have engaged to pay to the said Miami nation of Indians, shall be paid in silver.

The United States to pay the Miami a perpetual annuity of \$15,000—all annuities in silver.

The United States will cause to be built for the Miami one grist-mill and one saw-mill, at such proper sites as the chiefs of the nation may select, and will provide and support one blacksmith and one gunsmith for them, and provide them with such implements of agriculture as the proper agent may think necessary.

A grist-mill, saw-mill, blacksmith, gunsmith, &c. for the Miami.

The United States will also cause to be delivered, annually, to the Miami nation, one hundred and sixty bushels of salt.

160 bushels salt annually.

Art. 6. The several tracts of land which, by the third article of this treaty, the United States have engaged to grant to the persons therein mentioned, except the tracts to be granted to Jean Bapt. Richardville, shall never be transferred by the said persons or their heirs, without the approbation of the president of the United States.

Tracts granted, except J. B. Richardville's, not to be transferred without consent.

Art. 7. This treaty shall be obligatory on the contracting parties after the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

Treaty obligatory when ratified.

In testimony whereof, the said Jonathan Jennings, Lewis Cass, and Benjamin Parke, commissioners as aforesaid, and the chiefs and warriors of the Miami nation of Indians, have hereunto set their hands, at St. Mary's, the sixth day of October, in the year of our Lord one thousand eight hundred and eighteen.

Jonathan Jennings,
Lewis Cass,
B. Parke,
Peshawa, or Richardville, his x mark,
Osas, his x mark,
Ketauga, or Charley, his x mark,
Metche Keteta, or Big Body, his x mark,

* Ante, chap. 14, No. 1.

Notawas, his x mark,
 Wapapeslea, his x mark,
 Tathtenouga, his x mark,
 Papskeecha, or Flat Belly, his x mark,
 Metosma, his x mark,
 Sasakuthka, or Sun, his x mark,
 Keosakunga, his x mark,
 Kochenna, his x mark,
 Sinamahon, or Stone Eater, his x mark,
 Cabma, his x mark,
 Ameghiqua, his x mark,
 Nawauslea, his x mark.

In presence of

James Dill, *secretary to the commissioners*,
 William Turner, *secretary*,
 John Johnston, *Indian agent*,
 B. F. Stickney, *S. I. A.*
 John Kenzie, *sub-agent*,
 G. Godfroy, *sub-agent*,
 John Conner,
 John F. Swan, *major 3d. U. S. infantry*,
 Wm. Brunot, *lieut. 3d. infantry*,
 Wm. P. Rathbone, *army contractor*,
 Wm. Oliver,
 Joseph Benson, *sworn interpreter*,
 Wm. Conner, *interpreter*,
 Antoine Pride, *interpreter*.

[*Note.* The Miamis are also parties in common with other tribes to other treaties, for which see chap. 3, Nos. 3, 4, 7, 10, 11, 12, 13.]

CHAPTER XXIX.

Treaties with the Pawnees.

Treaty with
 the Grand
 Pawnees.

No. 1. A treaty of peace and friendship, made and concluded by and between William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Grand Pawnee tribe, on the part and behalf of their said tribe, of the other part.

The parties
 desirous of
 peace and
 friendship.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Injuries for-
 given and
 forgot.

Art. 1. Every injury or act of hostility, by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Perpetual
 peace and
 friendship.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Grand Pawnee tribe.

The tribe un-
 der the pro-
 tection of
 the U. S. only.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribes they represent, do moreover promise and oblige themselves to deliver up, or cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe, who shall, at any time hereafter, violate the stipulations of the treaty this day concluded between the said tribe and the said United States.

Violators of this treaty to be delivered up for punishment, according to law.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the said chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals, this eighteenth day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Wm. Clark,
 Aug. Chouteau,
 Teratuewit, the Bald Eagle, his x mark,
 Taheerish, the Soldier, his x mark,
 Petaperishta, Who wants to go to War, his x mark,
 Talawehouree, the Follower, his x mark,
 Tarraricarrawaa, the Grand Chief Big Hair, his x mark,
 Shinggacahaga, his x mark,
 Aiuwechouoneeweeka, Chief of the Birds, his x mark,
 Isalapee, his x mark,
 Settulushaa, the Knife Chief, his x mark,
 Shakororishshara, Chief of the Sun, his x mark,
 Tarracarrawaa, the Wild Cat, his x mark,
 Tarrarevetiishta, the Round Shield, his x mark,
 Arozishhara, the Warrior, his x mark,
 Telawaheartcarookot, the Fighter, his x mark,
 Kagakerecouk, the Crow's Eye, his x mark,
 Latatorishhara, the Chief of the Shield, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission*,
 R. Paul, *col. M. M.*
 John O'Fallon, *capt. R. R.*
 Jn. Ruland, *sub agent and trans. &c.*
 A. L. Papin, *interpreter*,
 Wm. Grayson,
 I. T. Honore, *interpreter*,
 Stephen Julian, *U. S. interpreter*,
 Josiah Ramsay,
 Th. Robedout.

No. 2. A treaty of peace and friendship, made and concluded by, and between, William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, Noisy Pawnee and the undersigned, chiefs and warriors of the Pitavirate Noisy Pawnee tribe, on the part and behalf of their said tribe, of the other part.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Parties desirous of peace and friendship.

Injuries forgiven and forgot.

Perpetual peace and friendship.

The tribe under the protection of the U. S. only.

Violators of this treaty to be delivered up for punishment according to law.

Art. 1. Every injury or act of hostility by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Noisy Pawnee tribe.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribe they represent, do moreover promise and oblige themselves to deliver up, or cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe, who shall, at any time thereafter, violate the stipulations of the treaty this day concluded between the said Noisy Pawnee tribe and the said states.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors aforesaid, have hereunto subscribed
[L. s.] ed their names, and affixed their seals, this nineteenth day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the Independence of the United States the forty-second.

Wm. Clark,
Aug. Chouteau,
Taretuushta, the First in War, his x mark,
Charuvaru, the Great Chief, his x mark,
Skalavalacharo, the only Grand Chief, his x mark,
Pantukuhike, the Chief Man, his x mark,
Ishtatavecirou, the Discoverer, his x mark,
Taarakarukaishta, the Handsome Bird, his x mark,
Lecoutswaroushtu, the Buffalo Doctor, his x mark,
Tacacatahekou, the Running Wolf, his x mark,
Kewatookoush, the Little Fox, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission,*
R. Paul, *col. M. M. C. interpreter,*
R. Graham, *I. agent, Illinois territory,*
Jno. O. Fallon, *capt. R. regiment,*
Jno. Ruland, *S. agent, trans. &c.*
A. L. Papin, *interpreter Inds.*
I. T. Honore, *Ind. interpreter,*
S. Julian, *U. S. Ind. interpreter,*
Josiah Ramsey,
Wm. Grayson,
John Robedout.

No. 3. A treaty of peace and friendship, made and concluded by, and between, William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Pawnee Republic, on the part and behalf of their tribe, of the other part.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Art. 1. Every injury or act of hostility, by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Pawnee tribe.

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribe they represent, do moreover promise and oblige themselves to deliver up, or to cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe who shall, at any time hereafter, violate the stipulations of the treaty this day concluded between the said Pawnee Republic and the said states.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors aforesaid, have hereunto subscribed their names and affixed their seals, this twentieth day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Wm. Clark,
Aug. Chouteau,
Petaheick, the Good Chief, his x mark,
Rarnleshare, the Chief Man, his x mark,
Shernakitare, the First in the War Party, his x mark,
Sheterahiate, the Partizan Discoverer, his x mark,
Tearekatacaush, the Brave, his x mark,
Pa, or the Elk, his x mark,
Tetawiouche, Wearer of Shoes, his x mark.

Done at St. Louis in the presence of

R. Wash, secretary to the commission,
R. Paul, col. M. M. C. interpreter,
R. Graham, I. A. Ill. ter.
John O. Fallon, capt. R. regt.
John Ruland, sub-agt. trans'r, &c.
A. L. Papin, interpreter,
J. T. Honore, Id. interpreter,
S. Julian, U. S. Id. Interpreter,
Wm. Grayson,
Josiah Ramsey,
John Robedout.

Treaty with
the Pawnee
Marhar.

No. 4. A treaty of peace and friendship, made and concluded by, and between, William Clark and Auguste Chouteau, commissioners of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Pawnee Marhar tribe, on the part and behalf of their said tribe, of the other part.

Parties desir-
ous of peace,
&c.

The parties, being desirous of establishing peace and friendship between the United States and the said tribe, have agreed to the following articles:

Injuries for-
given and for-
got.

Art. 1. Every injury or act of hostility, by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

Perpetual
peace and
friendship.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Pawnee tribe.

The tribe un-
der the pro-
tection of the
U. S. only

Art. 3. The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power or sovereign whatsoever.

The tribe to
deliver up vi-
olators of this
treaty, to be
punished ac-
cording to law.

Art. 4. The undersigned chiefs and warriors, for themselves and the tribe they represent, do moreover promise and oblige themselves to deliver up, or to cause to be delivered up, to the authority of the United States, (to be punished according to law,) each and every individual of the said tribe, who shall, at any time hereafter, violate the stipulations of the treaty this day concluded between the said Pawnee Marhar tribe and the said states.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs and warriors aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-second day of June, in the year of our Lord one thousand eight hundred and eighteen, and of the independence of the United States the forty-second.

Wm. Clark,
Aug. Chouteau,
Tarahautacaw, White Bull, his x mark,
Tearilari Sacki, Red Hawk, his x mark,
Kakaletahaw, the Crow of other Nations, his x mark,
Larapa Kouch, the Soldier, his x mark,
Tahorou, the Gun Flint, his x mark,
Letereeshar the Knife Chief, his x mark,
Tearachetickickpa, the Peace Maker, his x mark,
Teakahore, the Divider of the Party, his x mark,
Lahchozrashea, the Presence Striker, his x mark,
Tarara, the Scalp Bearer, his x mark,
Teripakoo, the First of Soldiers, his x mark,
Irarikau, the White Cow, his x mark.

Done at St. Louis, in the presence of

R. Wash, *secretary to the commission,*
R. Graham, *I. A. Illinois territory,*
John O. Fallon, *captain rifle regiment,*

R. Paul, *colonel M. M. C. interpreter*,
 John Ruiland, *sub-agent, trans'r, &c.*
 A. L. Papin, *interpreter*,
 I. T. Honore, *Indian interpreter*,
 L. Julian, *U. S. Indian interpreter*,
 Wm. Grayson,
 Josiah Ramsey,
 John Hobedout.

No. 5. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Pawnee tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men and warriors of said Pawnee tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Pawnee tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Pawnees-with-
in the limits of
the U. S. and
claim their
protection.
U. States to
regulate trade.

Art. 2. The United States agree to receive the Pawnee tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

U. States re-
ceive the tribe
into friendship
and under their
protection.

Art. 3. All trade and intercourse with the Pawnee tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Trade to be
carried on at
places to be
designated by
the president.

Art. 4. That the Pawnee tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the said Pawnee tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Pawnee tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them

Licensed trad-
ers to be ad-
mitted, and
the tribe to af-
ford them pro-
tection.

Foreigners not
to be admitted
in their coun-
try.

Treaty with
the Pawnee
Marhara.

No. 4. A treaty of peace and friendship, made and confirmed by William Clark and Auguste Chouteau, commissioners of America, on the part and behalf of the said tribe, the undersigned chiefs and warriors of the Pawnee part and behalf of their said tribe, of the other part.

Parties desirous of peace, &c.

The parties, being desirous of establishing a friendship between the United States and the said tribe, to the following articles:

Injuries forgiven and forgot.

Art. 1. Every injury or act of violence between the contracting parties, against the person or persons, shall be forgiven and forgot.

Perpetual peace and friendship.

Art. 2. There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals of the said tribe.

The tribe under the protection of the U. S. only

Art. 3. The undersigned chiefs and warriors of the said tribe, themselves and their said tribe, shall be and of no other tribe.

The tribe to deliver up violators of this treaty, to be punished according to law.

Art. 4. The undersigned chiefs and warriors of the said tribe, shall oblige themselves to the authority of the United States, and to the laws of the United States. And, any robbery, violence, or murder, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the Pawnee tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Pawnee tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

White men to be delivered up.

The tribe not to furnish hostile Indians with any implement of war.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

oe in-

by agreed,

revenge or re-

complaints shall

superintendent or agent

appointed by the president;

chiefs, upon complaint being

up the person or persons against

made, to the end that he or they may

to the laws of the United States. And,

any robbery, violence, or murder, shall be

Indian or Indians belonging to said tribe,

persons so offending shall be tried, and if found

be punished in like manner as if the injury had

to a white man. And it is agreed, that the chiefs of

Pawnee tribe shall, to the utmost of their power, exert

themselves to recover horses or other property, which may be

stolen or taken from any citizen or citizens of the United

States, by any individual or individuals of said tribe; and the

property so recovered shall be forthwith delivered to the agents

or other person authorized to receive it, that it may be restor-

ed to the proper owner. And the United States hereby guar-

antee to any Indian or Indians of said tribe, a full indemnifica-

tion for any horses or other property which may be stolen

from them by any of their citizens: provided, that the prop-

erty stolen cannot be recovered, and that sufficient proof is

produced that it was actually stolen by a citizen of the United

States. And the said Pawnee tribe engage, on the requisition

or demand of the president of the United States, or of the

agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise

and engage that their tribe will never, by sale, exchange, or as

presents, supply any nation, tribe, or band of Indians, not in

amity with the United States, with guns, ammunition, or other

implements of war.

381
 kinson, Council Bluffs, this thirtieth day of
 D. 1825, and of the independence of the
 fiftieth.

the said commissioners, Henry At-
 Fallon, and the chiefs, head men,
 nee tribe, have hereunto set their
 s.

U. S. army,
 Ind. aff.

Chief,	x
agle Chief,	x
agle Chief,	x
Chief,	x
Chief,	x
Partizan Chief,	x
shar, the Pipe Chief,	x
the Bad Chief republican band,	x
shar, the Bear Chief,	x
ah-lah-co, the Dog Chief,	x
ah-sha-rete, the Man who strikes men,	x
Tah-rah-re-tah-coh-sha, the Singing Crow,	x
Lah-ro-wah-go, the Hill Chief,	x
Ta-rah-re-tah-nash, the Big Horse Stealer,	x
La-shar-pah-he, the Tranquil Chief,	x
Ah-re-cah-rah-co-chu, the Mad Elk,	x
Ta-lah-re-ta-ret, the Partizan that strikes and carries his bird on his back,	x
Ta-lah-re-we-tail, the Crow that strikes,	x
Lo-lah-re-wah, the Horse Stealer who suffers his prize to be retaken,	x
Ta-hah-lah-re-cah-lah, the Handsome Bird,	x
Ah-aho-cole, the Rotten Foot,	x
Ah-shar-o-ca-tah-co, the Poor Man,	x
Cha-nuck-cah-lah, the Partizan that strikes,	x
Ta-lah-we-cah-wah-re, the Man that is always at war,	x

In presence of

A. L. Langham, sec. to the com.
 A. R. Woolley, lieut. col. U. S. A.
 Johan Gale, surg. U. S. A.
 Johan Ganti, capt. 6th inf.
 S. Mac Ree, A. camp.
 Thomas Noel, adj. 6th reg.
 J. Rogers, lieut. 6th inf.
 R. Holmes, lieut. 6th inf.
 M. W. Batman, lieut. 6th inf.
 J. Nichols, lieut. 6th inf.
 W. W. Eaton, lieut. 6th inf.
 G. H. Kennerly, U. S. S. Ind. agent,
 A. L. Papin,
 William Rodgers.

Agents and persons sent by the U. S. to be protected.

Citizens trading to New Mexico not to be molested.

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens to be delivered up.

Indemnity for property stolen from the Indians guaranteed.

White men to be delivered up.

The tribe not to furnish hostile Indians with any implement of war.

to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Pawnee tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Pawnee tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Pawnee tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at fort Atkinson, Council Bluffs, this thirtieth day of September, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Pawnee tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,	
Benj. O'Fallon, U. S. agt. Ind. aff.	
Esh-ca-tar-pa, the Bad Chief,	x
Shar-co-ro-la-shar, the Sun Chief,	x
La-cota-ve-co-cho-la-shar, the Eagle Chief,	x
La-tah-carts-la-shar, the War Eagle Chief,	x
La-ta-le-shar, the Knife Chief,	x
Scar-lar-la-shar, the Man Chief,	x
La-ke-tar-la-shar, the Partizan Chief,	x
Lark-tar-ho-ra-la-shar, the Pipe Chief,	x
Esh-ca-tar-pa, the Bad Chief republican band,	x
Co-rouch-la-shar, the Bear Chief,	x
Ah-sha-o-ah-lah-co, the Dog Chief,	x
La-ho-rah-sha-rete, the Man who strikes men,	x
Tah-rah-re-tah-coh-sha, the Singing Crow,	x
Lah-ro-wah-go, the Hill Chief,	x
Ta-rah-re-tah-nash, the Big Horse Stealer,	x
La-shar-pah-be, the Tranquil Chief,	x
Ah-re-cah-rah-co-chu, the Mad Elk,	x
Ta-lah-re-ta-ret, the Partizan that strikes and carries	
his bird on his back,	x
Ta-lah-re-we-tail, the Crow that strikes,	x
Lo-lah-re-wah, the Horse Stealer who suffers his	
prize to be retaken,	x
Ta-hah-lah-re-esh-lah, the Handsome Bird,	x
Ah-sho-cole, the Rotten Foot,	x
Ah-shar-o-ca-tah-co, the Poor Man,	x
Cha-nuck-cah-lah, the Partizan that strikes,	x
Ta-lah-we-cah-wah-re, the Man that is always at war,	x

In presence of

A. L. Langham, *sec. to the com.*
 A. R. Woolley, *lieut. col. U. S. A.*
 John Gale, *surg. U. S. A.*
 John Gantt, *capt. 6th inf.*
 S. Mac Ree, *A. camp.*
 Thomas Noel, *adj. 6th reg.*
 J. Rogers, *lieut. 6th inf.*
 R. Holmes, *lieut. 6th inf.*
 M. W. Batman, *lieut. 6th inf.*
 J. Nichols, *lieut. 6th inf.*
 W. W. Eaton, *lieut. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agent,*
 A. L. Papin,
 William Rodgers.

CHAPTER XXX.

Treaties with the Chippewas.

Treaty with
the Chippewa-
was.

No. 1. Articles of a treaty made and concluded at Saginaw, in the territory of Michigan, between the United States of America, by their commissioner, Lewis Cass, and the Chippewa nation of Indians.

The Chippewa
cede land
to the U. S.

Art. 1. The Chippewa nation of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby, forever, cede to the United States the land comprehended within the following lines and boundaries: Beginning at a point in the present Indian boundary line, which runs due north from the mouth of the great Auglaize river, six miles south of the place where the base line, so called, intersects the same; thence, west, sixty miles; thence, in a direct line, to the head of Thunder Bay river; thence, down the same, following the courses thereof, to the mouth; thence, northeast, to the boundary line between the United States and the British province of Upper Canada; thence, with the same, to the line established by the treaty of Detroit, in the year one thousand eight hundred and seven;* thence, with the said line, to the place of beginning.

(*Ante, No. 8, chap. 3.)

Reservations
from the cession.

Art. 2. From the cession aforesaid the following tracts of land shall be reserved for the use of the Chippewa nation of Indians.

One tract, of eight thousand acres, on the east side of the river Au Sable, near where the Indians now live.

One tract, of two thousand acres, on the river Mesagwisk.

One tract, of six thousand acres, on the north side of the river Kawkawling, at the Indian village.

One tract, of five thousand seven hundred and sixty acres, upon the Flint river, to include Reaum's village, and a place called Kishkawbawee.

One tract, of eight thousand acres, on the head of the river Huron, which empties into the Saginaw river, at the village of Otusson.

One island in the Saginaw Bay.

One tract, of two thousand acres, where Nabobask formerly lived.

One tract, of one thousand acres, near the island in the Saginaw river.

One tract, of six hundred and forty acres, at the bend of the river Huron, which empties into the Saginaw river.

One tract, of two thousand acres, at the mouth of Point Augrais river.

One tract, of one thousand acres, on the river Huron, at Menoquet's village.

One tract, of ten thousand acres, on the Shawassee river, at a place called the Big Rock.

One tract, of three thousand acres, on the Shawassee river, at Ketchewaundaugenink.

One tract, of six thousand acres, at the Little Forks on the Tetabawasink river.

One tract, of six thousand acres, at the Black Bird's town, on the Tetabawasink river.

One tract, of forty thousand acres, on the west side of the Saginaw river, to be hereafter located.

Art. 3. There shall be reserved, for the use of each of the ^{Reservations} persons hereinafter mentioned and their heirs, which persons ^{for} are all Indians by descent, the following tracts of land:

For the use of John Riley, the son of Menawcumegoqua, a ^{John Riley,} Chippewa woman, six hundred and forty acres of land, beginning at the head of the first marsh above the mouth of the Saginaw river, on the east side thereof.

For the use of Peter Riley, the son of Menawcumegoqua, a ^{Peter Riley,} Chippewa woman, six hundred and forty acres of land, beginning above and adjoining the apple trees on the west side of the Saginaw river, and running up the same for quantity.

For the use of James Riley, the son of Menawcumegoqua, a ^{James Riley,} Chippewa woman, six hundred and forty acres, beginning on the east side of the Saginaw river, nearly opposite to Cambeau's trading house, and running up the river for quantity.

For the use of Kawkawiskou, or the Crow, a Chippewa ^{Kawkawiskou, or the Crow,} chief, six hundred and forty acres of land, on the east side of the Saginaw river, at a place called Menitegow; and to include, in the said six hundred and forty acres, the island opposite to the said place.

For the use of Nowokeshik, Metawanene, Mokitchenoqua, ^{640 acres each for eleven others.} Nondashemau, Petabonaqua, Messawwakut, Checchak, Kitchegooqua, Sagosequa, Annoketoqua, and Tawcumegoqua, each, six hundred and forty acres of land, to be located at and near the grand traverse of the Flint river, in such manner as the President of the United States may direct.

For the use of the children of Bokowtonden, six hundred ^{Children of Bokowtonden,} and forty acres, on the Kawkawling river.

Art. 4. In consideration of the cession aforesaid, the United ^{The U. S. to} States agree to pay to the Chippewa nation of Indians, annually, forever, the sum of one thousand dollars in silver; and do ^{pay, annually, forever, \$1000} also agree that all annuities due by any former treaty to the ^{in silver, and annuities hereafter in silver.} said tribe, shall be hereafter paid in silver.

Art. 5. The stipulation contained in the treaty of Greenville, ^{Right of the Indians to hunt upon the land ceded.} relative to the right of the Indians to hunt upon the land ceded, while it continues the property of the United States.

* Ante, No. 3, chap. 3.

Indians to have the right of making sugar.

The U. S. to pay for Indian improvements abandoned.

U. S. reserve the right to make roads.

U. S. to provide and support a blacksmith: And furnish farming utensils and cattle.

The treaty to be effective as soon as ratified.

States, shall apply to this treaty; and the Indians shall, for the same term, enjoy the privilege of making sugar upon the same land, committing no unnecessary waste upon the trees.

Art. 6. The United States agree to pay to the Indians the value of any improvements which they may be obliged to abandon, in consequence of the lines established by this treaty, and which improvements add real value to the land.

Art. 7. The United States reserve to the proper authority the right to make roads through any part of the land reserved by this treaty.

Art. 8. The United States engage to provide and support a blacksmith for the Indians, at Saginaw, so long as the president of the United States may think proper, and to furnish the Chippewa Indians with such farming utensils and cattle, and to employ such persons to aid them in their agriculture, as the president may deem expedient.

Art. 9. This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof.

In testimony whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the Chippewa nation of Indians, have hereunto set their hands, at Saginaw, in the territory of Michigan, this twenty-fourth day of September, in the year of our Lord one thousand eight hundred and nineteen.

Lewis Cass,
Pakenosega, his x mark,
Kekenutchega, his x mark,
Chimokemow, his x mark,
Kekenutchegun, his x mark,
Mocksonga, his x mark,
Noukonwabe, his x mark,
Shingwalk, his x mark,
Shingwalk, jun. his x mark,
Wawaubequak, his x mark,
Pashkobwis, his x mark,
Muskobenense, his x mark,
Waubonoom, his x mark,
Wausaquanai, his x mark,
Minequet, his x mark,
Otauson, his x mark,
Tusseguu, his x mark,
Mixabee, his x mark,
Kitchewawashen, his x mark,
Neebeenaquin, his x mark,
Anueemaycounbeerne, his x mark,
Onewequa, his x mark,
Nayokeeman, his x mark,
Peshquescum, his x mark,
Muckcumcinau, his x mark,
Kitcheenoting, his x mark,
Waubeekeenaw, his x mark,

Pashkeekou, his x mark,
 Mayto, his x mark,
 Sheemaugua, his x mark,
 Kauguest, his x mark,
 Kitsheematush, his x mark,
 Anewayba, his x mark,
 Walkcaykeejugo, his x mark,
 Autowaynabee, his x mark,
 Nawgonissee, his x mark,
 Owenisham, his x mark,
 Wauweeyatam, his x mark,
 Shawshauwenaubais, his x mark,
 Okooyousinse, his x mark,
 Ondottowaugane, his x mark,
 Amickoncena, his x mark,
 Kitcheonundeeyo, his x mark,
 Saugassauway, his x mark,
 Okeemanpeenaysec, his x mark,
 Minggeeseetay, his x mark,
 Waubishcan, his x mark,
 Peaypaymanshee, his x mark,
 Ocanauck, his x mark,
 Ogeebouinse, his x mark,
 Paymeenoting, his x mark,
 Naynooautienishkoan, his x mark,
 Kaujagonaygee, his x mark,
 Mayneeseno, his x mark,
 Kakagouryan, his x mark,
 Meewayson, his x mark,
 Wepecumgegut, his x mark,
 Markkenwuwbe, his x mark,
 Fouegawne, his x mark,
 Nemetetowwa, his x mark,
 Kitchmokooman, his x mark,
 Kishkaukou, his x mark,
 Peenaysee, his x mark,
 Ogemaunkcketo, his x mark,
 Reaume, his x mark,
 Nowkeshuc, his x mark,
 Mixmunitou, his x mark,
 Wassau, his x mark,
 Keneobe, his x mark,
 Moksauba, his x mark,
 Mutchwetau, his x mark,
 Nuwagon, his x mark,
 Okumanpinase, his x mark,
 Mecksconne, his x mark,
 Paupemiskobe, his x mark,
 Kogkakeshik, his x mark,
 Wauwassack, his x mark,
 Mishencanonquet, his x mark,
 Okemans, his x mark,
 Nimeke, his x mark,
 Maneleugobwawaa, his x mark,
 Puckwash, his x mark,
 Waseneso, his x mark,
 Montons, his x mark,
 Kennewobe, his x mark,
 Aguagonabe, his x mark,
 Sigonak, his x mark,
 Kokooah, his x mark,
 Pemaw, his x mark,

Kawotoktame, his x mark,
 Sabo, his x mark,
 Kewageone, his x mark,
 Metewa, his x mark,
 Kawgeshegun, his x mark,
 Keyacum, his x mark,
 Atowagesek, his x mark,
 Mawmawkena, his x mark,
 Mamawwecuta, his x mark,
 Penayawwaykeseck, his x mark,
 Kewaytinam, his x mark,
 Sepewan, his x mark,
 Shashebak, his x mark,
 Shaconk, his x mark,
 Mesnakrea, his x mark,
 Singgok, his x mark,
 Maytwayaushing, his x mark,
 Saguhosh, his x mark,
 Saybo, his x mark,
 Obwole, his x mark,
 Paymusawton, his x mark,
 Endua, his x mark,
 Ausbetayawneckua, his x mark,
 Wawapenishik, his x mark,
 Omikou, his x mark,
 Leroy, his x mark.

Witnesses at signing :

John L. Leib, *secretary*,
 D. G. Whitney, *assistant secretary*,
 C. L. Cass, *capt. 3d. infantry*,
 R. A. Forsyth, *jun. acting commissioner*,
 Chester Root, *capt. U. S. artillery*,
 John Peacock, *lieut. 3d. U. S. infantry*,
 G. Godfroy, *sub-agent*,
 W. Knaggs, *sub-agent*,
 William Tucky, }
 Louis Beufort, } *sworn interpreters*,
 John Huron, }
 James V. S. Riley,
 B. Campau,
 John Hill, *army contractor*,
 J. Whipple,
 Henry L. Hunt,
 William Keith,
 A. E. Lacock, *M. S. K.*
 Richard Smyth,
 Louis Dequindre,
 B. Head,
 John Smyth,
 Conrad Ten Eyck.

Treaty with
 the Chippe-
 ways.

The Chippe-
 ways cede a
 tract of land.

No. 2. Articles of a treaty, made and concluded at the Sault de St. Marie, in the territory of Michigan, between the United States, by their commissioners, Lewis Cass, and the Chippeway tribe of Indians.

Art. 1. The Chippeway tribe of Indians cede to the United States the following tract of land : Beginning at the Big Rock in the river St. Mary's, on the boundary line between the United

ed States and the British Province of Upper Canada ; and, running thence, down the said river, with the middle thereof, to the Little Rapid ; and, from those points, running back from the said river, so as to include sixteen square miles of land.

Art. 2. The Chippeway tribe of Indians acknowledge to have received a quantity of goods in full satisfaction of the preceding cession. Chippeways have received goods in satisfaction.

Art. 3. The United States will secure to the Indians a perpetual right of fishing at the falls of St. Mary's, and also a place of encampment upon the tract hereby ceded, convenient to the fishing ground, which place shall not interfere with the defences of any military work which may be erected, nor with any private rights. Perpetual right of fishing at the falls of St. Mary's to the Indians.

Art. 4. This treaty, after the same shall be ratified by the president of the United States, by and with the advice and consent of the senate thereof, shall be obligatory on the contracting parties.

In witness whereof, the said Lewis Cass, commissioner as aforesaid, and the chiefs and warriors of the said Chippeway tribe of Indians, have hereunto set their hands, at the place aforesaid, this sixteenth day of June, in the year of our Lord one thousand eight hundred and twenty.

Lewis Cass,
Shingaubaywassin, his x mark,
Kegeash, his x mark,
Sagishewayoson, his x mark,
Wayishkey, his x mark,
Nenowaiskam, his x mark,
Wasawaton, his x mark,
Wemiguenacwanay, his x mark,
Nabinois, his x mark,
Macadaywacwet, his x mark,
Shaiwabekaton, his x mark,
Netaway, his x mark,
Kaibayway, his x mark,
Nawoquesequum, his x mark,
Tawabit, his x mark,
Augustin Bart, his x mark.

Witnesses present :

R. A. Forsyth, *secretary*,
Alex. Wolcott, Jr. *Indian agent, Chicago*,
D. B. Douglass, *capt. U. S. engineers*,
Eneas Mackay, *lieut. corps artillery*,
John J. Pierce, *lieut. artillery*,
Henry R. Schoolcraft, *mineralogist to the expedition*,
James Duane Doty,
Charles C. Trowbridge,
Alex. R. Chase,
James Ryley, *sworn interpreter*.

[*Note.* The Chippewas are also parties, in common, to other treaties, for which see ante, chap. 3, Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 19, 20.]

CHAPTER XXXI.

Treaty with the Florida Indians.

JAMES MONROE,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, greeting :

Treaty with
the Florida
tribe of Indi-
ans.

No. 1. Whereas a treaty between the United States of America and the Florida tribes of Indians was made and concluded, on the eighteenth day of September, one thousand eight hundred and twenty-three, at camp on Moultrie creek, in the territory of Florida, by commissioners on the part of the United States, and certain chiefs and warriors of the said tribes, on the part and in behalf of the said tribes; which treaty is in the words following, to wit :

Said Indians to
continue un-
der the pro-
tection of the
U. States.

Art. 1. The undersigned chiefs and warriors, for themselves and their tribes, have appealed to the humanity, and thrown themselves on, and have promised to continue under, the protection of the United States, and of no other nation, power, or sovereign; and, in consideration of the promises and stipulations hereinafter made, do cede and relinquish all claim or title which they may have to the whole territory of Florida, with the exception of such district of country as shall herein be allotted to them.

Said Indians
to be confined
to the follow-
ing metes and
boundaries.

Art. 2. The Florida tribes of Indians will hereafter be concentrated and confined to the following metes and boundaries: commencing five miles north of Okehumke, running in a direct line to a point five miles west of Setarky's settlement, on the waters of Amazura, (or Withlahuche river,) leaving said settlement two miles south of the line; from thence, in a direct line, to the south end of the Big Hammock, to include Chickuhate; continuing, in the same direction, for five miles beyond the said Hammock—provided said point does not approach nearer than fifteen miles the sea coast of the Gulf of Mexico; if it does, the said line will terminate at that distance from the sea coast; thence, south, twelve miles; thence in a south 30 dg. east direction, until the same shall strike within five miles of the main branch of Charlotte river; thence, in a due east direction, to within twenty miles of the Atlantic coast; thence, north, fifteen west, for fifty miles, and from this last, to the beginning point.

The U. States
to take the
Florida Indi-
ans under
their care, &c

Art. 3. The United States will take the Florida Indians under their care and patronage, and will afford them protection against all persons whatsoever; provided they conform to the laws of the United States, and refrain from making war, or giving any insult to any foreign nation, without having first obtained the permission and consent of the United States: And,

in consideration of the appeal and cession made in the first article of this treaty, by the aforesaid chiefs and warriors, the United States promise to distribute among the tribes, as soon as concentrated, under the direction of their agent, implements of husbandry, and stock of cattle and hogs, to the amount of six thousand dollars, and an annual sum of five thousand dollars a year, for twenty successive years, to be distributed as the president of the United States shall direct, through the Secretary of War, or his superintendents and agent of Indian affairs.

A distribution of implements of husbandry, &c. to be made among them, &c.

Art. 4. The United States promise to guarantee to the said tribes the peaceable possession of the district of country herein assigned them, reserving the right of opening through it such roads, as may, from time to time, be deemed necessary; and to restrain and prevent all white persons from hunting, settling, or otherwise intruding upon it. But any citizen of the United States, being lawfully authorized for that purpose, shall be permitted to pass and repass through the said district, and to navigate the waters thereof, without any hindrance, toll, or exaction from said tribes.

The U. States to guarantee to them the peaceable possession of the district of country assigned to them on certain conditions.

Art. 5. For the purpose of facilitating the removal of the said tribes to the district of country allotted them, and, as a compensation for the losses sustained, or the inconveniences to which they may be exposed by said removal, the United States will furnish them with rations of corn, meat, and salt, for twelve months, commencing on the first day of February next; and they further agree to compensate those individuals who have been compelled to abandon improvements on lands, not embraced within the limits allotted, to the amount of four thousand five hundred dollars, to be distributed among the sufferers, in a ratio to each, proportional to the value of the improvements abandoned. The United States further agree to furnish a sum, not exceeding two thousand dollars, to be expended by their agent, to facilitate the transportation of the different tribes to the point of concentration designated.

Corn, meat, &c. to be allowed them for twelve months, for certain purposes, &c.

Art. 6. An agent, sub-agent, and interpreter, shall be appointed, to reside within the Indian boundary aforesaid, to watch over the interests of said tribes; and the United States further stipulate, as an evidence of their humane policy towards said tribes, who have appealed to their liberality, to allow for the establishment of a school at the agency, one thousand dollars per year for twenty successive years; and one thousand dollars per year, for the same period, for the support of a gun and blacksmith, with the expenses incidental to his shop.

An agent, &c. to be appointed to reside among them.

Art. 7. The chiefs and warriors aforesaid, for themselves and tribes, stipulate to be active and vigilant in the preventing the retreating to, or passing through, of the district of country assigned them, of any absconding slaves or fugitives from jus-

The chiefs, &c. to prevent any fugitive slaves from taking

shelter among
them, &c.

tice; and further agree, to use all necessary exertions to apprehend and deliver the same to the agent, who shall receive orders to compensate them agreeably to the trouble and expenses incurred.

A commis-
sioner and
surveyor to be
appointed.

Art. 8. A commissioner, or commissioners, with a surveyor, shall be appointed, by the president of the United States, to run and mark, (blazing fore and aft the trees) the line as defined in the second article of this treaty, who shall be attended by a chief or warrior, to be designated by a council of their own tribe, and who shall receive, while so employed, a daily compensation of three dollars.

Grounds on
which the ob-
jections of the
tribes to cer-
tain lands are
founded.

Art. 9. The undersigned chiefs and warriors, for themselves and tribes, having objected to their concentration within the limits described in the second article of this treaty, under the impression that the said limits did not contain a sufficient quantity of good land to subsist them, and for no other reason: it is, therefore, expressly understood, between the United States and the aforesaid chiefs and warriors, that should the country embraced in the said limits, upon examination by the Indian agent and the commissioner, or commissioners, to be appointed under the 8th article of this treaty, be by them considered insufficient for the support of the said Indian tribes; then the north line, as defined in the 2d article of this treaty, shall be removed so far north as to embrace a sufficient quantity of good tillable land.

Said Indians
request the
grant in fee
simple of cer-
tain lands to
Col. Hum-
phreys and
Steph. Rich-
ards.

Art. 10. The undersigned chiefs and warriors, for themselves and tribes, have expressed to the commissioners their unlimited confidence in their agent, Col. Gad Humphreys, and their interpreter, Stephen Richards, and, as an evidence of their gratitude for their services and humane treatment, and brotherly attentions to their wants, request that one mile square, embracing the improvements of Enehe Mathla, at Tallahassee (said improvements to be considered as the centre) be conveyed, in fee simple, as a present to Col. Gad Humphreys. —And they further request, that one mile square, at the Ochee Bluffs, embracing Stephen Richard's field on said bluffs, be conveyed in fee simple, as a present to said Stephen Richards. The commissioners accord in sentiment with the undersigned chiefs and warriors, and recommend a compliance with their wishes to the president and senate of the United States; but the disapproval, on the part of the said authorities, of this article, shall, in no wise, affect the other articles and stipulations concluded on in this treaty.

In testimony whereof, the commissioners, William P. Duval, James Gadsden, and Bernard Segui, and the undersigned chiefs and warriors, have hereunto subscribed their names and affixed their seals. Done at camp, on Moul-

tria creek, in the territory of Florida, this eighteenth day of September, one thousand eight hundred and twenty-three, and of the independence of the United States the forty-eighth.

William P. Duval,	l. s.
James Gadsden,	l. s.
Bernard Segui,	l. s.
Nea Mathla, his x mark,	l. s.
Tokose Mathla, his x mark,	l. s.
Ninne Homata Tustenuky, his x mark,	l. s.
Miconope, his x mark,	l. s.
Nocosee Ahola, his x mark,	l. s.
John Blunt, his x mark,	l. s.
Odemata, his x mark,	l. s.
Tuskeeneha, his x mark,	l. s.
Tuski Hajo, his x mark,	l. s.
Econchatimico, his x mark,	l. s.
Emoteley, his x mark,	l. s.
Mulatto King, his x mark,	l. s.
Chocholohano, his x mark,	l. s.
Emathlochee, his x mark,	l. s.
Wokse Holata, his x mark,	l. s.
Amathla Ho, his x mark,	l. s.
Holatescico, his x mark,	l. s.
Chefiscico Hajo, his x mark,	l. s.
Lathloa Mathla, his x mark,	l. s.
Senufky, his x mark,	l. s.
Alak Hajo, his x mark,	l. s.
Fahelustee Hajo, his x mark,	l. s.
Octahamico, his x mark,	l. s.
Tusteneck Hajo, his x mark,	l. s.
Okoskee Amathla, his x mark,	l. s.
Ocheeny Tustenuky, his x mark,	l. s.
Phillip, his x mark,	l. s.
Charley Amathla, his x mark,	l. s.
John Hoponey, his x mark,	l. s.
Kat Head, his x mark,	l. s.
Holatta Amathla, his x mark,	l. s.
Foshatchimico, his x mark,	l. s.

Signed, sealed, and delivered, in the presence of

George Murray, *secretary to the commission,*
 J. Humphreys, *Indian agent,*
 Stephen Richards, *interpreter,*
 Isaac N. Cox,
 J. Erving, *capt. 4th artillery,*
 Harvey Brown, *lieut. 4th artillery,*
 J. D'Esperville, *lieut. 4th artillery,*
 Wm. B. Scott, *lieut. 4th artillery,*
 William Travers,
 Horatio S. Dexter.

ADDITIONAL ARTICLE.

Whereas Nea Mathla, John Blunt, Tuski Hajo, Mulatto King, Emathlochee, and Econchatimico, six of the principal chiefs of the Florida Indians, and parties to the treaty to which this article has been annexed, have warmly appealed to the commissioners for permission to remain in the district of

Additional article.

country now inhabited by them; and, in consideration of their friendly disposition, and past services to the United States, it is, therefore, stipulated, between the United States and the aforesaid chiefs, that the following reservations shall be surveyed, and marked by the commissioner, or commissioners, to be appointed under the 8th article of this treaty: For the use of Nea Mathla and his connexions, two miles square, embracing the Tuphulga village, on the waters of Rocky Comfort creek. For Blunt and Tuski Hajo, a reservation, commencing on the Apalachicola, one mile below Tuski Hajo's improvements, running up said river four miles; thence, west, two miles; thence, southerly, to a point two miles due west of the beginning; thence, east, to the beginning point. For Mulatto King and Emathlochee, a reservation, commencing on the Apalachicola, at a point to include Yellow Hair's improvements; thence, up said river, for four miles; thence, west, one mile; thence, southerly, to a point one mile west of the beginning; and thence, east, to the beginning point. For Econchatimico, a reservation, commencing on the Chatahoochie, one mile below Econchatimico's house; thence, up said river, for four miles; thence, one mile, west; thence, southerly, to a point one mile west of the beginning; thence, east, to the beginning point. The United States promise to guarantee the peaceable possession of the said reservations, as defined, to the aforesaid chiefs and their descendants *only*, so long as they shall continue to occupy, improve, or cultivate, the same; but in the event of the abandonment of all, or either of the reservations, by the chief or chiefs, to whom they have been allotted, the reservation, or reservations, so abandoned, shall revert to the United States, as included in the cession made in the first article of this treaty. It is further understood, that the names of the individuals remaining on the reservations aforesaid, shall be furnished, by the chiefs in whose favour the reservations have been made, to the superintendent or agent of Indian affairs, in the territory of Florida; and that no other individuals shall be received or permitted to remain within said reservations, without the previous consent of the superintendent or agent aforesaid; And, as the aforesaid chiefs are authorized to select the individuals remaining with them, so they shall each be separately held responsible for the peaceable conduct of their towns, or the individuals residing on the reservations allotted them. It is further understood, between the parties, that this agreement is not intended to prohibit the voluntary removal, at any future period, of all or either of the aforesaid chiefs and their connections, to the district of country south, allotted to the Florida Indians, by the second article of this treaty, whenever either, or all may think proper to make such an election: the United States reserving the right of ordering, for any out-

rage or misconduct, the aforesaid chiefs, or either of them, with their connections, within the district of country south, aforesaid. It is further stipulated, by the United States, that, of the six thousand dollars, appropriated for implements of husbandry, stock, &c. in the third article of this treaty, eight hundred dollars shall be distributed, in the same manner, among the aforesaid chiefs and their towns; and it is understood, that, if the annual sum of five thousand dollars, to be distributed by the president of the United States, they will receive their proportion. It is further stipulated, that, of the four thousand five hundred dollars, and two thousand dollars, provided for by the 5th article of this treaty, for the payment for improvements and transportation, five hundred dollars shall be awarded to Nea Mathla, as a compensation for the improvements abandoned by him, as well as to meet the expenses he will unavoidably be exposed to, by his own removal, and that of his connections.

In testimony whereof, the commissioners, William P. Duval, James Gadsden, and Bernard Segui, and the undersigned chiefs and warriors, have hereunto subscribed their names and affixed their seals. Done at camp, on Moultrie creek, in the territory of Florida, this eighteenth day of September, one thousand eight hundred and twenty-three, and of the independence of the United States the forty-eighth.

Wm. P. Duval,	l. s.
James Gadsden,	l. s.
Bernard Segui,	l. s.
Nea Mathla, his x mark,	l. s.
John Blunt, his x mark,	l. s.
Tuski Hajo, his x mark,	l. s.
Mulatto King, his x mark,	l. s.
Emathlochee, his x mark,	l. s.
Econchatimico, his x mark,	l. s.

Signed, sealed, and delivered, in presence of

George Murray, *secretary to the commission,*
 Ja. W. Ripley,
 G. Humphreys, *Indian agent,*
 Stephen Richards, *interpreter.*

The following statement shows the number of men retained by the chiefs who have reservations made them, at their respective villages:

	Number of men.
Blount, - - - - -	43
Cochran, - - - - -	45
Mulatto King, - - - - -	30
Emathlochee, - - - - -	28
Econchatimico, - - - - -	38
Nea Mathla, - - - - -	50
Total,	214

Now, therefore, be it known, that I, James Monroe, president of the United States of America, having seen and considered the said treaty, do, in pursuance of the advice and consent of the senate, as expressed by their resolution of the twenty-third of last month, accept, ratify, and confirm the same, and every clause and article thereof, with the exception of the tenth article of said treaty.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this second day of January, in the year of our Lord one thousand eight hundred and twenty-four, and of the independence of the United States the forty-eighth.

JAMES MONROE.

By the President :

JOHN QUINCY ADAMS,
Secretary of State.

CHAPTER XXXII.

Treaty with the Teton, Yancton, and Yanc-tonies bands of the Sioux Indians.

Treaty with
the Tetons,
Yanctons and
Yanc-tonies.

No. 1. For the purposes of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Teton, Yancton, and Yanc-tonies bands of the Sioux tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors of the Teton, Yancton, and Yanc-tonies bands of the Sioux tribe of Indians, on behalf of said bands or tribe of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit :

Admit them-
selves within
the limits of
the U. S. and
under their
protection.

U. S. to regu-
late trade with
them.

U. S. to ex-
tend acts of
kindness to
them.

Art. 1. It is admitted by the Teton, Yancton and Yanc-tonies bands of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the said Teton, Yancton, and Yanc-tonies bands of Sioux Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Teton, Yanceton, and Yanctonies bands shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

Places for trade with them to be designated by the president of the U. S.

Art. 4. That the Teton, Yanceton, and Yanctonies bands may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribes or bands, under mild and equitable regulations: in consideration of which, the Teton, Yanceton, and Yanctonies bands bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Teton, Yanceton, and Yanctonies bands further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them.

Licensed traders to be admitted among them, to whom they are to extend protection.

Foreigners not to be admitted among them for any purpose.

Protection to be given to all persons sent among them by U. S.

Art. 5. That the friendship which is now established between the United States and the Teton, Yanceton, and Yanctonies bands should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said bands, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Teton, Yanceton, and Yanctonies bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said bands; and the property so recovered shall

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

Horses and other property stolen from citizens to be restored.

Indemnity to
the Indians
guaranteed for
property stol-
en from them.

White men
residing
among them
to be deliver-
ed up.

Hostile In-
dians not to be
supplied by
them with im-
plements of
war.

be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Teton, Yanc-ton, and Yanc-tonies bands engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, their band or tribe will never, by sale, exchange, or as presents, supply any nation, or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at fort Look-out, near the three rivers of the Sioux pass, this 22d day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head man, and warriors, of the Teton, Yanc-ton, and Yanc-tonies bands, of Sioux tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. Army,
Benj. O'Fallon, U. S. agt. Ind. aff.

YANC-TONS.

Maw-too-sa-be-kia, the black bear,	x
Wacan-o-hi-gnan, the flying medicine,	x
Wah-hah-ginga, the little dish,	x
Cha-pon-ka, the musqueto,	x
Mta-ke-nus-ke-an, the mad face,	x
To-ka-oo, the one that kills,	x
O-ga-tee, the fork,	x
You-ia-san, the warrior,	x
Wah-ta-ken-do, the one who comes from war,	x
To-qui-in-too, the little soldier,	x
Ila-sas-hah, the Ioway,	x

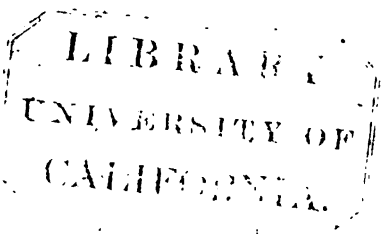
TETONS.

Ta-tan-ka-guenish-qui-gnan, the mad buffalo,	x
Mah-to-ken-do-ha-cha, the hollow bear,	x
E-gue-mon-wa-con-ta, the one that shoots at the tiger,	x
Jai-kan-kan-e, the child chief,	x
Shawa-non, or O-e-te-kah, the brave,	x
Man-to-dan-sa, the running bear,	x
Wa-can-gueh-sassa, the black lightning,	x
Wa-be-la-wa-con, the medicine war eagle,	x
Cam-pes-cah-o-ran-co, the swift shell,	x
Eh-ra-ka-che-ka-ta, the little elk,	x
Na-pe-a-mus-ka, the mad hand,	x
J-a-pec, the soldier,	x
Hoo-wa-gah-hak, the broken leg,	x
Ce-cha-be, or the burnt thigh,	x

O-caw-see-non-gea, or the spy, x
 Ta-tun-ca-see-ha-hue-ka, the buffaloe with the long foot, x
 Ah-kee-che-ha-che-ga-la, the little soldier, x

In presence of

A. L. Langham, *secretary to the commission*,
 H. Leavenworth, *col. U. S. army*,
 S. W. Kearny, *br. maj. 1st inf.*
 G. H. Kennerly, *U. S. S. Ind. agent*,
 P. Wilson, *U. S. S. Ind. agent*,
 Wm. Armstrong, *capt. 6th reg. inf.*
 R. B. Mason, *capt. 1st inf.*
 J. Gantt, *captain 6th inf.*
 S. Mac Ree, *lieut. and aid de camp*,
 Wm. S. Harney, *lieut. 1st inf.*
 Thomas Noel, *lieut. 6th inf.*
 B. Riley, *captain 6th inf.*
 James W. Kingsbury, *lieut. 1st regt.*
 S. Wragg, *cpt. 1st regt.*
 G. C. Spencer, *capt. 1st regt.*
 A. S. Miller, *lieut. 1st inf.*
 H. Swearingen, *lieut. 1st inf.*
 Thos. P. Gwynn, *lieut. 1st inf.*
 M. W. Batman, *lieut. 6th inf.*
 George C. Hutter, *lieut. 6th inf.*
 J. Rogers, *lieut. 6th inf.*
 Wm. Day, *lieut. 1st inf.*
 John Gale, *surgeon U. S. army*,
 D. Ketchurn, *major U. S. army*,
 R. H. Stuart, *lieut. 1st inf.*
 Wm. Gordon,
 Jean Baptiste Dorion.



CHAPTER XXXIII.

Treaty with the Sioune and Ogallala bands of the Sioux tribe of Indians.

No. 1. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Sioune and Ogallala bands of the Sioux tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the said Sioune and Ogallala bands of Sioux Indians, on behalf of their bands, of the other part, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Sioune and Ogallala bands of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them. Treaty with the Sioune and Ogallala bands of the U. S. and under their protection. U. S. to regulate trade with them.

Acts of kindness to be extended to the tribes.

Art. 2. The United States agree to receive the Sioune and Ogallala bands of Sioux into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Places for trade with them to be designated by the president of the U. S.

Art. 3. All trade and intercourse with the Sioune and Ogallala bands shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

Licensed traders to be admitted among them, to whom they are to extend protection, &c.

Art. 4. That the Sioune and Ogallala bands may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said bands, under mild and equitable regulations: in consideration of which, the Sioune and Ogallala bands bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Sioune and Ogallala bands further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

Foreigners not to be admitted among them for any purpose.

Protection to be given to all persons sent among them by U. States.

Citizens trading to New Mexico not to be molested.

Private revenge for injuries prohibited.

Art. 5. That the friendship which is now established between the United States and the Sioune and Ogallala bands should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the injured party, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians be-

Mode of proceeding in case of injury done to either party.

longing to the said bands, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Sioune and Ogallala bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said bands; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Sioune and Ogallala bands engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Property stolen from citizens to be restored.

Indemnity to Indians for property stolen from them guaranteed.

White men residing among them to be delivered up.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage, that their bands will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Hostile Indians not to be furnished with implements of war.

Done at the mouth of the Teton River, this 5th day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Sioune and Ogallala bands, have hereunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

SIOUNES—*Chiefs.*

Wah-e-ne-ta, the Rushing Man,	x
Cah-re-we-ca-ca, the Crow Feather,	x
Ma-ra-sea, the White Swan,	x
Chan-dec, the Tobacco,	x
O-ke-ma, the Chief,	x
Tow-cow-sa-no pa, the Two Lance,	x

WARRIORS.

Chan-ta-wah-nee-cha, the No Heart,	x
He-hum-pee, the one that has a voice in his neck,	x
Num-cah-pah, the one that knocks down two,	x

OGALLALA—*Chiefs.*

Ta-tun-ca-nash-sha, the Standing Buffalo,	x
He-a-long-ga, the Shoulder,	x

Ma-to-weet-co, the Full White Bear, I
 Wa-na-re-wag-ah-go, the Ghost Boy, I

WARRIORS.

Ek-bah-ka-sap-pa, the Black Elk, I
 Tah-tong-ish-nan-na, the One Buffalo, I
 Mah-to-ta tong-ca, the Buffalo White Bear, I
 Nah-ge-nish-ge-ah, the Mad Soul, I

*Sioues of the Fire hearts band, who sign at Camp Hidden Creek, on the 12th
 July, 1825.*

CHIEFS.

Chan-ta-pa-ta, the Fire-heart, I
 Wah-con-ta-mon-ce, the one that shoots as he walks, I
 Ke-ah-ah-sha-pa, the one that makes a noise as he flies, I

WARRIORS.

Mato-co-kee-pa, the one that is afraid of the White Bear, I
 Ho-ton-co-kee-pa, the one that is afraid of his voice, I
 Wom-dish-ki-a-ta, the Spotted War Eagle, I
 Cha-lon-we-cha-ca-ta, the one that kills the buffalo, I
 Ca-re-no-pa, the Two Crows, I
 Ca-re-a-tun-ca, the Crow that sits down, I
 To-ke-a-we-cha-ca-ta, the one that kills first, I

In the presence of

P. Wilson, *U. S. S. Ind. agent*,
 John Gale, *surgeon U. S. army*,
 D. Ketchum, *major U. S. A.*
 Levi Nute, *lieut. U. S. A.*
 G. C. Spencer, *capt. 1st inf.*
 M. W. Batman, *lieut. 6th inf.*
 Wm. Armstrong, *capt. 6th regt. inf.*
 Jas. W. Kingsbury, *lieut. 1st regt. I.*
 R. Holmes, *lieut. 6th inf.*
 R. M. Coleman, *U. S. A.*
 W. Harris, *lieut. 1st inf.*
 H. Leavenworth, *col. U. S. army*,
 B. Riley, *capt. 6th inf.*
 S. Wragg, *adjt. 1st regt. inf.*
 Wm. Day, *lieut. U. S. A.*
 C. Pentland, *capt. 6th inf.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 Thos. P. Gwynn, *lieut. 1st inf.*

*Witnesses to the signatures of the Fire-hearts band, as executed on the 12th
 July, 1825.*

A. L. Langham, *sec. to the com.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 H. Leavenworth, *col. U. S. army*,
 S. W. Kearny, *br. maj. 1st inf.*
 P. Wilson, *U. S. S. Ind. agent*,
 R. M. Coleman, *U. S. A.*
 Wm. Armstrong, *capt. 6th regt. inf.*
 J. Gautt, *capt. 6th inf.*

CHAPTER XXXIV.

Treaty with the Chayenne tribe of Indians.

1. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it the Chayenne respects trade and friendship between the United States and their citizens, tribe, and the Chayenne tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, pecially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors, of the Chayenne tribe of Indians, on behalf of said tribe, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. It is admitted by the Chayenne tribe of Indians, that they reside within the territorial limits of the United States, knowledge their supremacy, and claim their protection.—the said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Chayenne tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Chayenne tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Chayenne tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Chayenne tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district country. And the said Chayenne tribe further agree, that no foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all

Admit themselves to be within limits of the U. S. and under their protection. U. S. to regulate trade with them.

Acts of kindness to be extended to them.

Places of trade with the tribe to be designated by the president of the United States.

Licensed traders to be admitted, to whom the tribe is to extend protection.

Foreigners not to be admitted for any purpose.

Protection to be given all persons sent among the tribe by U. S.

Citizens trading to New Mexico not to be molested.

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens to be delivered up.

Indemnity for property stolen from the Indians guaranteed.

Tribe to deliver up white men among them.

Hostile Indians not to be furnished with implements of war.

agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Chayenne tribe, should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Chayenne tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Chayenne tribe engage on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the mouth of the Teton River, this sixth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Chayenne tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

Sho-e-mow-e-to chaw-ca-we-wah-ca-to-we, or the Wolf with the high back,	x
We-che-gal-la, or the Little Moon,	x
Ta-ton-ca-pa, or the Buffalo Head,	x
J-a-pu, or the one who talks against the others,	x

WARRIORS.

Ta-ke-che-sca, or the White Deer,	x
Chah-pac-pah-ha, or the one that raises the War Club,	x
Ta-ton-ca-hoo-oh-ca-la-eh-pa-ha, or the pile of Buffalo bones,	x
Ma-te-wash-e-na, or the Little White Bear,	x
Shong-ge-mon-e-to, or the Wolf,	x
Shong-ge-mon-e-to-e-ab-ca, or the Running Wolf,	x
Nah-pa-ton-ca, or the Big Hand,	x
Oh-kee-che-ta, or the Soldier,	x
Tah-hi-o-ta, or the Lousey Man,	x

In presence of

G. H. Kennerly, *U. S. S. Ind. agt.*
John Gale, *surgeon U. S. A.*
D. Ketchum, *maj. U. S. A.*
B. Riley, *capt. 6th infantry,*
John Gantt, *capt. 6th inf.*
C. Pentland, *capt. 6th inf.*
R. B. Mason, *capt. 1st inf.*
R. M. Coleman, *U. S. A.*
G. C. Spencer, *capt. 1st inf.*
R. Holmes, *lieut. 6th inf.*
M. W. Batman, *lieut. 6th inf.*
Levi Nute, *lieut. U. S. A.*
Wm. S. Harney, *lieut. 1st inf.*
Jas. W. Kingsbury, *lieut. 1st reg. inf.*
Wm. Armstrong, *capt. 6th reg. inf.*
S. W. Kearny, *br. maj. 1st inf.*
H. Leavenworth, *bt. col. 6th inf.*
J. V. Swearingen, *lieut. 1st inf.*
R. M. Coleman, *U. S. A.*
C. Harris, *lieut. 1st inf.*
Wm. Day, *lieut. U. S. A.*
S. Wragg, *adj. 1st reg. inf.*
Thos. P. Gwynn, *lieut. 1st inf.*

CHAPTER XXXV.

Treaty with the Hunkpapas band of the Sioux tribe of Indians.

Treaty with the Hunkpapas.

No. 1. For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Hunkpapas band of the Sioux tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men, and warriors of the said Hunkpapas band of Sioux Indians, on behalf of their band, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

The tribe within the limits of the U. S. and under their protection. U. S. to regulate trade with them.

Art. 1. It is admitted by the Hunkpapas band of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said band also admit the right of the United States to regulate all trade and intercourse with them.

Acts of kindness to be extended to them.

Art. 2. The United States agree to receive the Hunkpapas band of Sioux into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Places for trade with them to be designated by the president of the U. S.

Art. 3. All trade and intercourse with the Hunkpapas band shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said band of Indians.

Licensed traders to be admitted among them, to whom they are to extend protection.

Art. 4. That the Hunkpapas band may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said band, under mild and equitable regulations: in consideration of which, the Hunkpapas band bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Hunkpapas band further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country.

Foreigners not to be admitted for any purpose.

Protection to be given to all persons sent

and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them.

Art. 5. That the friendship which is now established between the United States and the Hunkpapas band should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States.

Private revenge for injuries prohibited.

Mode of proceeding in case of injury done to either party.

And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to the said band, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Hunkpapas bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said band; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said band, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Hunkpapas band engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Property stolen from citizens to be restored.

Indemnity for property stolen from Indians guaranteed.

The band to deliver up white men among them.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their band will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Hostile Indians not to be furnished by them with implements of war.

Done at the Auricara Village, this sixteenth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors of the Hunkpapas tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

Mato-che-gal-lah, Little White Bear,	X
Cha-sa-wa-ne-che, the One that has no name,	X
Tah-hah-nee-ah, the One that scares the game,	X
Taw-ome-nee-o-tah, the Womb,	X
Mah-to-wee-tah, the White Bear's face,	X
Pah-sal-sa, the Auricara,	X
Ha-hah-kus-ka, the White Elk,	X

In presence of

A. L. Langham, *sec. to the commission*,
H. Leavenworth, *col. U. S. army*,
P. Wilson, *U. S. S. Ind. agt.*
G. H. Kennerly, *U. S. S. Ind. agt.*
G. C. Spencer, *capt. 1st inf.*
John Gale, *surgeon U. S. army*,
R. M. Coleman, *U. S. A.*
John Gantt, *capt. 6th inf.*
J. Rogers, *lieut. 6th inf.*
D. Ketchum, *major U. S. army*,
Jas. W. Kingsbury, *lieut. 1st regt. I.*
Thomas Noel, *lieut. 6th inf.*
R. H. Stuart, *lieut. 1st inf.*
Levi Nute, *lieut. U. S. A.*
Colin Campbell.

CHAPTER XXXVI.

Treaty with the Ricara tribe of Indians.

Treaty with
the Ricara
tribe.

To put an end
to hostilities
and remove
causes of mis-
understand-
ing.

Peace be-
tween the U.
S. and the Ri-
cara tribe.

The tribe
within limits
of the U. S.
and U. S. to
regulate trade.

No. 1. To put an end to an unprovoked hostility on the part of the Ricara tribe of Indians against the United States, and to restore harmony between the parties, the president of the United States, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, commissioners duly appointed and commissioned to treat with the Indian tribes beyond the Mississippi river, give peace to the said Ricara tribe; the chiefs and warriors thereof having first made suitable concessions for the offence. And for the purpose of removing all further or future cause of misunderstanding as respects trade and friendly intercourse between the parties, the above named commissioners on the part of the United States, and the undersigned chiefs and warriors of the Ricara tribe of Indians on the part of said tribe, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Art. 1. Henceforth there shall be a firm and lasting peace between the United States and the Ricara tribe of Indians; and a friendly intercourse shall immediately take place between the parties.

Art. 2. It is admitted by the Ricara tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 3. The United States agree to receive the Ricara tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Acts of kindness to be extended to the tribe.

Art. 4. All trade and intercourse with the Ricara tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Places of trade with them to be designated by the president of the U. S.

Art. 5. That the Ricara tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Ricara tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, while they remain within the limits of their district of country. And the said Ricara tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them.

Licensed traders to be admitted, and protected.

Foreigners not to be admitted on any account.

All persons authorized by the U. S. to be protected.

Art. 6. That the friendship which is now established between the United States and the Ricara tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Ricara tribe shall, to the utmost of their pow-

Private revenge prohibited.

Mode of proceeding in case of injury done to either party.

Property stolen from citizens.

zens to be re-
stored.

Indemnity for
property stol-
en from Indi-
ans guaran-
teed.

White men to
be delivered
up.

The tribe not-
to furnish hos-
tile Indians
with imple-
ments of war.

er, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Ricara tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 7. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or bands of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Ricara village, this eighteenth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors of the Ricara tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, *br. gen. U. S. army,*
Benj. O'Fallon, *U. S. agt. Ind. aff.*

CHIEFS.

Stan-au-pat, the bloody hand,	x
Ca-ca-we-ta, the little bear,	x
Scar-e-naus, the skunk,	x
Chan-son-nah, the fool chief,	x
Chan-no-te-ne-na, the chief that is afraid,	x
Coon-ca-ne-nos-see, the bad bear,	x

WARRIORS.

En-hah-pe-tar, the two nights,	x
Ca-ca-ne-show, the crow chief,	x
Pah-can-wah, the old head,	x
Wah-ta-an, the light in the night,	x
Hon-eh cooh, the buffalo that urinates and smells it,	x
Ta-hah-son, the lip of the old buffalo,	x
Coo-wooh-war-e-scoon-hoon, the long haired bear,	x
Ne-sha-non-nack, the chief by himself,	x
Ah-ree-squish, the buffalo that has horns,	x
Ou-cous-non-nair, the good buffalo,	x
Nack-sa-nou-wees, the dead heart,	x
Pah-too-car-rah, the man that strikes,	x
Toon-high-ouh, the man that runs,	x
Car-car-wee-as, the heart of the crow	x

In the presence of

A. L. Langham, *sec. to the commission*,
 H. Leavenworth, *col. U. S. army*,
 S. W. Kearny, *bt. maj. 1st inf.*
 D. Ketchum, *maj. U. S. army*,
 Wm. Armstrong, *capt. 6th reg. inf.*
 B. Riley, *capt. 6th inf.*
 John Ganitt, *capt. 6th inf.*
 G. C. Spencer, *capt. 1st inf.*
 R. B. Mason, *capt. 1st inf.*
 W. S. Harney, *lt. 1st inf.*
 John Gale, *surg. U. S. A.*
 R. M. Coleman, *U. S. A.*
 S. Wragg, *adjt. 1st reg. inf.*
 S. Mac Ree, *lieut. A. Camp.*
 R. Holmes, *lt. 6th inf.*
 R. H. Stuart, *lieut. 1st inf.*
 Jas. W. Kingsbury, *lt. 1st. regt. J.*
 Levi Nute, *lt. U. S. A.*
 W. Harris, *lieut. 1st. inf.*
 G. H. Kennerly, *U. S. S. Ind. agt.*
 P. Wilson, *U. S. S. Ind. agt.*
 Antoine Garreau, his x mark, *interpreter*,
 Joseph Garreau, his x mark, *interpreter*,
 Pierre Garreau, his x mark.

CHAPTER XXXVII.

Treaty with the Mandan tribe of Indians.

No. 1. Whereas acts of hostility have been committed by some restless men of the Mandan tribe of Indians, upon some of the citizens of the United States: therefore, to put a stop to any further outrages of the sort; and to establish a more friendly understanding between the United States and the said Mandan tribe, the president of the United States, by Henry Atkinson, brigadier-general of the United States army, and major Benjamin O'Fallon, Indian agent, commissioners duly appointed and commissioned to treat with the Indian tribes beyond the Mississippi river, forgive the offences which have been committed; the chiefs and warriors having first made satisfactory explanations touching the same. And for the purpose of removing all future cause of misunderstanding as respects trade and friendly intercourse between the parties, the above named commissioners on the part of the United States, and the undersigned chiefs and warriors of the Mandan tribe of Indians on the part of said tribe, have made and entered into the following articles and conditions, which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Treaty with
the Mandan
tribe.

To put an end
to hostility and
remove all
cause of mis-
understand-
ing.

Art. 1. Henceforth there shall be a firm and lasting peace between the United States and the Mandan tribe of Indians; and a friendly intercourse shall immediately take place between the parties.

Firm and
lasting peace.

Art. 2. It is admitted by the Mandan tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Tribe within
the limits of
the U. S.
U. S. to regu-
late trade with
them.

Acts of kindness to be extended to the tribe.

Art. 3. The United States agree to receive the Mandan tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Places of trade to be designated by the president of the United States.

Art. 4. All trade and intercourse with the Mandan tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Licensed traders to be admitted to the tribe and protected by it.

Art. 5. That the Mandan tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Mandan tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Mandan tribe further agree, that if any

Foreigners not to be admitted on any account.

foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them.

Persons authorized by the U. S. to be protected.

Private revenge prohibited.

Art. 6. That the friendship which is now established between the United States and the Mandan tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Mandan tribe shall, to the utmost of their power,

Mode of proceeding in case of injury done to either party.

Property stolen from citizens.

exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Mandan tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

zens to be restored.

Indemnity for property stolen from the Indians guaranteed.

White men to be delivered up.

Art. 7. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

The tribe not to furnish hostile Indians with implements of war.

Done at the Mandan Village, this thirtieth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the Mandan tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

Mat-sa-to-pas-lah-hah-pah, the chiefs of four men,	x
San-jah-mat-sa-eta, the wolf chiefs,	x
Ah-ra-na-shis, the one that has no arm,	x
Bot-sa-a-pa, the color of the wolf,	x
Con-ke-sheesse, the good child,	x
Lah-pa-see-ta-re-tah, the bear that does not walk,	x
Par-res-kah-cah-rush-ta, the little crow,	x

WARRIORS, 1st Village.

Obah-chash, the broken leg,	x
La-pet-see-to-a-pus, the four bears,	x
Sah-cou-ga-rah-lah-pet-see, the bird of the bears,	x
She-ca-aga-mat-sa-et-see, the little young man that is a chief,	x
Kee-re-pce-ah-pa-rush, the neck of the buffalo,	x
Bo-si-e-rec-bees, the little wolf that sleeps,	x

2d Village.

San-jah-ca-ho ka, the wolf that lies,	x
Ede-shu-bee, the fat of the paunch,	x
Pa-res-ca-a-huss, the band of crows,	x
Ba-rah-rah-ca-tah, the broken pot,	x

Me-ra-pa-sha-po, the five beavers,
Bout-sa-ca-ho-ka, the crouching prairie wolf,

In the presence of

A. L. Langham, *sec. to the commission*,
H. Leavenworth, *col. U. S. army*,
S. W. Kearny, *lt. maj. 1st inf.*
D. Ketchum, *maj. U. S. army*,
B. Riley, *capt. 6th inf.*
P. Wilson, *U. S. S. Ind. agent*,
S. Mac Ree, *lieut. A. camp*,
R. B. Mason, *capt. 1st inf.*
G. C. Spencer, *capt. 1st inf.*
John Gantt, *capt. 6th inf.*
Thomas Noel, *lieut. 6th inf.*
R. Holmes, *lieut. 6th inf.*
J. Rogers, *lieut. 6th inf.*
Jas. W. Kingsbury, *lieut. 1st regt. I.*
Levi Nute, *lieut. 6th inf.*
S. V. Ragg, *adj. 1st regt. inf.*
M. W. Batman, *lieut. 6th inf.*
Thomas P. Gwynne, *lieut. 1st inf.*
George C. Huwer, *lieut. 6th inf.*
William Day, *lieut. 1st inf.*
John Gale, *surg. U. S. A.*
R. M. Coleman, *A. surg. U. S. A.*
W. S. Harney, *lieut. 1st inf.*
J. C. Culbertson,
G. H. Kennerly, *U. S. S. Ind. agt.*
A. S. Miller, *lieut. 1st inf.*
Colin Campbell,
Touissant Chaboneau, his x mark, *interpreter.*

CHAPTER XXXVIII.

Treaty with the Belantse-etea, or Minnetaree tribe of Indians.

Treaty with
the Belantse-
etea or Min-
netaree tribe.

To put an end
to hostility and
restore friend-
ly understand-
ing.

No. 1. Whereas, acts of hostility have been committed, by some restless men of the Belantse-etea or Minnetaree tribe of Indians, upon some of the citizens of the United States: therefore, to put a stop to any further outrages of the sort, and to establish a more friendly understanding between the United States and the said Belantse-etea or Minnetaree tribe, the president of the United States, by Henry Atkinson, brigadier-general of the United States' army, and major Benjamin O'Fallon, Indian agent, commissioners duly appointed and commissioned to treat with the Indian tribes beyond the Mississippi river, forgive the offences which have been committed, the chiefs and warriors having first made satisfactory explanations touching the same. And for the purpose of removing all future cause of misunderstanding, as respects trade and friendly intercourse between the parties, the above named commissioners, on the part of the United States, and the undersigned chiefs and warriors of the Belantse-etea or Minnetaree tribe of Indians, on the part of said tribe, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

Firm and last-
ing peace.

Art. 1. Henceforth there shall be a firm and lasting peace between the United States and the Belantse-etea or Minnetaree

tribe of Indians; and a friendly intercourse shall immediately take place between the parties.

Art. 2. It is admitted by the Belantse-etea or Minnetaree tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection.—The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Tribe within the limits of U. States.
U. S. to regulate trade.

Art. 3. The United States agree to receive the Belantse-etea or Minnetaree tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Acts of kindness to be extended to the tribe.

Art. 4. All trade and intercourse with the Belantse-etea or Minnetaree tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Places for trade to be designated by the president of the U. S.

Art. 5. That the Belantse-etea or Minnetaree tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Belantse-etea or Minnetaree tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Belantse-etea or Minnetaree tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to reside temporarily among them.

Licensed traders to be admitted and protected.
Foreigners not to be admitted for any purpose.
Authorized persons to be protected.

Art. 6. That the friendship which is now established between the United States and the Belantse-etea or Minnetaree tribe, shall not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of the said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of

Private revenge prohibited.
Mode of proceeding in case of injury done to either party.

Property stolen from citizens to be restored.

Indemnity for property stolen from Indians guaranteed.

White men in the tribe to be delivered up.

Tribe not to furnish implements of war to hostile Indians.

of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Belantse-etea or Minnetaree tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Belantse-etea or Minnetaree tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Art. 7. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Lower Mandan Village, this thirtieth day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the said Belantse-etea or Minnetaree tribe of Indians, have hereunto set their hands and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

Shan-sa-bat-say-e-see, the wolf chief,	x
E-re-ah-ree, the one that makes the road,	x
Pas-ca-ma-e-ke-ree, the crow that looks,	x
E-tah-me-nah-ga-e-shee, the guard of the red arrows,	x
Mah-shu-ca-lah-pah-see, the dog bear,	x
Oh-sha-lah-ska-a-tee,	x
Kah-re-pe-shu pe-sha, the black buffalo,	x
Ah-too-pah-shee-pe-sha, the black mocasins,	x
Mah-buk-sho-ok-oe-ah, the one that carries the snake,	x

WARRIORS.

At-ca-chis, the back lodges,	x
Nah-rah-ah-a-pa, the colour of the hair,	x

Pa-ta-e-see-as, the wicked cow,	x
Kee-re-pee-ah-too, the buffalo head,	x
Lah-pa-ta-see-e-ta, the bear's tail,	x
Pa-ta-lah-kee, the white cow,	x
Ah-sha-re-te-ah, the big thief,	x
Bo-sa-nah-a-me, the three wolves,	x
San jah-oe-tee, the wolf that has no tail,	x
Sa-ga-e-ree-shus, the finger that stinks,	x
Me-ah-cah-ho-ka, the woman that lies,	x
Ah-mah-a-ta, the Missouri,	x
E-sha-kee-te-ah, the big fingers,	x
Mah-shu-kah-e-te-ah, the big dog,	x
Be-ra-ka-ra-ah, the rotten wood,	x
E-ta-ro-sha-pa, the big brother,	x

In the presence of

A. L. Langham, *sec. to the commission*,
 A. Leavenworth, *col. U. S. army*,
 G. H. Kennerly, *U. S. sub Ind. agt.*
 John Gale, *surg. U. S. A.*
 D. Ketchum, *major U. S. army*,
 John Gantt, *capt. 6th inf.*
 Wm. Day, *lieut. 1st inf.*
 R. B. Mason, *capt. 1st inf.*
 Jas. W. Kingsbury, *lieut. 1st regt. I.*
 R. Holmes, *lieut. 6th inf.*
 J. Rogers, *lieut. 6th inf.*
 W. S. Harney, *lieut. 1st inf.*
 Levi Nute, *lieut. 6th inf.*
 B. Riley, *capt. 6th inf.*
 R. M. Coleman, *A. surg. U. S. A.*
 George C. Hutter, *lieut. 6th inf.*
 Colin Campbell,
 F. Wilson, *U. S. sub. Ind. agt.*
 Touissant Chaboneau, *interpreter*, his x mark,
 S. W. Kearny, *bt. maj. 1st inf.*
 Wm. Armstrong, *capt. 6th regt. inf.*

CHAPTER XXXIX.

Treaty with the Crow tribe of Indians.

No. 1. For the purpose of perpetuating the friendship which has heretofore Treaty with existed, as also to remove all future cause of discussion or dissension, as it the Crow respects trade and friendship between the United States and their citizens, tribe. and the Crow tribe of Indians, the president of the United States of America, by brigadier-general Henry Atkinson, of the United States' army, and major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head men and warriors of the Crow tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions; which, when ratified by the president of the United States, by and with the advice and consent of the senate, shall be binding on both parties—to wit:

To perpetuate
friendship.

Art. 1. It is admitted by the Crow tribe of Indians, that Tribe within they reside within the territorial limits of the United States, limits of the U. acknowledge their supremacy, and claim their protection. — States.

U. S. to regulate trade.

Acts of kindness to be extended to the tribe.

Places of trade to be designated by the president of the United States.

Licensed traders to be admitted and protected.

Foreigners not to be admitted in the tribe for any purpose.

Persons authorized by the U. S. to be protected.

Citizens trading to New Mexico not to be molested.

Private revenge prohibited.

Mode of proceeding in case of injury done to either party.

The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

Art. 2. The United States agree to receive the Crow tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the president of the United States.

Art. 3. All trade and intercourse with the Crow tribe shall be transacted at such place or places as may be designated and pointed out by the president of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Art. 4. That the Crow tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Crow tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Crow tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them; and that they will not, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.

Art. 5. That the friendship which is now established between the United States and the Crow tribe, should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs or other person appointed by the president; and it shall be the duty of said chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder,

shall be committed on any Indian or Indians belonging to the said tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Crow tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: provided, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Crow tribe engage, on the requisition or demand of the president of the United States, or of the agents, to deliver up any white man resident among them.

Property stolen from citizens to be restored.

Indemnity for property stolen from Indians guaranteed.

White men in the tribe to be delivered up.

Art. 6. And the chiefs and warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Implements of war not to be furnished to hostile Indians.

Done at the Mandan Village, this fourth day of August, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the said tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, br. gen. U. S. army,
Benj. O'Fallon, U. S. agt. Ind. aff.

CHIEFS.

E-she-huns-ka, or the Long Hair,	x
She-wo-eub-bish, one that sings bad,	x
Har-rar-shash, one that rains,	x
Chay-ta-pah-ha, Wolf's Paunch,	x
Huch-che-rach, Little Black Dog,	x
Mah-pitch, Bare Shoulder,	x
Esh-ca-ca-mah-hoo, the Standing Lance,	x
Che-rep-con-nes-ta-cha, the Little White Bull,	x
Ah-mah-abay-she-ra, the Yellow Big Belly,	x
Co-tah-bah-sah, the One that Runs,	x
Bah-cha-na-mach, the One that sits in the Pine,	x
He-ran-dah-pah, the One that ties his hair before,	x
Bes-ca-bar-ru-sha, the Dog that eats,	x
Nah-puch-kia, the Little One that holds the stick in his mouth,	

Bah-da-ah-chan-dah, the one that jumps over every
person,
Mash-pah-hash, the one that is not right,

x
x

In presence of

A. L. Langham, *secretary to the commission*,
H. Leavenworth, *col. U. S. army*,
S. W. Kearny, *br. maj. 1st inf.*
D. Ketchum, *major U. S. army*,
R. B. Mason, *capt. 1st inf.*
G. C. Spencer, *capt. 1st inf.*
John Gantt, *captain 6th inf.*
Thos. P. Gwynne, *lieut. 1st inf.*
S. Mac Ree, *lieut. and aid de camp*,
Thomas Noel, *lieut. 6th inf.*
William L. Harris, *1st inf.*
John Gale, *surgeon U. S. army*,
J. V. Swearingen, *lieut. 1st inf.*
R. Holmes, *lieut. 6th inf.*
M. W. Batman, *lieut. 6th inf.*
R. M. Coleman, *U. S. A.*
J. Rogers, *lieut. 6th inf.*
Wm. Day, *lieut. 1st inf.*
G. H. Kennerly, *U. S. S. Ind. agent*,
B. Riley, *captain 6th inf.*
Wm. S. Harney, *lieut. 1st inf.*
James W. Kingsbury, *lieut. 1st regt. inf.*
George C. Hutter, *lieut. 6th inf.*
Wm. Armstrong, *capt. 6th reg. inf.*

CHAPTER XL.

SUPPLEMENTARY TO CHAPTER VII.*

Treaty with the Shawanees.

Treaty with
the Shawan-
nees.

No. 2. Articles of a convention made between William Clark, superintendent of Indian affairs, and the undersigned chiefs and head men of the Shawanee nation of Indians, residing within the state of Missouri, duly authorized and empowered by said nation, at the city of St. Louis, on the seventh day of November, in the year of our Lord one thousand eight hundred and twenty-five.

Shawanees
having removed
from lands
near Cape Ge-
redeau, the U.
S. desire to in-
demnify them.

Whereas the Shawanee Indians were in possession of a tract of land near Cape Geredeau, in the state of Missouri, settled under a permission from the Spanish government, given to the said Shawanees and Delawares by the Baron De Carondelet, on the 4th day of January, 1793, and recorded in the office of Recorder of Land Titles at St. Louis, containing about (25) twenty-five miles square, which said tract of land was abandoned by the Delawares, in the year 1815; and from which the said Shawanees, under an assurance of receiving other lands in exchange, did remove, after having made valuable and lasting

* This treaty was not ratified early enough to take its proper place in chapter 7, as No. 2.

improvements on the same, which were taken possession of by the citizens of the United States: And it being the desire of the United States fully to indemnify said tribe for all losses and injuries sustained by them by reason of such removal—the following articles have been agreed upon, between William Clark, superintendent of Indian affairs, specially authorized on the one part, and the undersigned delegates of the Shawanee tribe, residing within the state of Missouri, on the other part:

Art. 1. The Shawanee tribe do, hereby, cede and relinquish to the United States, all their claim, interest, and title, to the lands on which they settled, near Cape Gereadeau, under an authority of the Spanish government as aforesaid, situate, lying, and being, between the river St. Come and Cape Gereadeau, and bounded on the east by the Mississippi, and westwardly by White Water. Title to lands at Cape Gereadeau relinquished by Shawanees.

Art. 2. It is further agreed by the contracting parties, that, in consideration of the cession aforesaid, the United States do, hereby, agree to give to the Shawanee tribe of Indians, within the state of Missouri, for themselves, and for those of the same nation, now residing in Ohio, who may hereafter emigrate to the west of the Mississippi, a tract of land equal to fifty (50) miles square, situated west of the state of Missouri, and within the purchase lately made from the Osages, by treaty bearing date the second day of June, 1825, and within the following boundaries: Commencing at a point (2) two miles north-west of the south-west corner of the state of Missouri; from thence, north, (25) twenty-five miles; thence, west, (100) one hundred miles; thence, south, (25) twenty-five miles; thence, east, (100) one hundred miles, to the place of beginning. But, whereas the said Shawanee tribe had valuable and lasting improvements within the tract of land hereby ceded, and moreover will have to incur expenses in their removal; it is further stipulated, that, for the purpose of rendering a fair equivalent for the losses and inconveniences which said tribe will sustain by removal, and to enable them to obtain supplies in their new settlements, the United States agree to pay to the tribe emigrating from the lands herein ceded, the sum of fourteen thousand dollars, which amount shall be paid to said party of the second part, as soon as practicable after the ratification of this treaty; five thousand dollars of which amount shall be furnished in domestic animals, implements of husbandry, and provisions, as soon as the said tribe remove upon the lands assigned them. U. States give to Shawanees 50 miles square of land west of Missouri.

Shawanees to be paid for losses and inconvenience of removal.

Art. 3. It is further stipulated, that a deputation of the said parties of the second part may be sent to explore the lands assigned to them in the preceding article; and if the same be not acceptable to them, upon an examination of the same, which shall be had, and made known to the superintendent of Indian Deputies to be sent by the tribe to explore lands.

affairs at St. Louis, on or before April next, who shall, in lieu thereof, assign to them an equal quantity of land, to be selected on the Kansas river, and laid off either south or north of that river, and west of the boundary of Missouri, not reserved or ceded to any other tribe.

Claims of Shawanees against citizens to be paid.

Art. 4. It appearing that the Shawanee Indians have various claims against the citizens of the United States to a large amount, for spoliations of various kinds, but which they have not been able to support by the testimony of white men; the United States, in order to a final settlement of all such claims, do hereby agree to pay to the Shawanee nation, the sum of (11,000) eleven thousand dollars, to be distributed by them in such way as may be deemed equitable; and to support and keep a blacksmith for their use, on the lands hereby assigned, for the term of five years, or as long as the president may deem advisable; and it is further stipulated, that the United States shall furnish for the use of the Shawanees, the tools necessary for the blacksmith's shop, and (300) three hundred pounds of iron annually, to be furnished at the expense of the United States.

Blacksmith to be supported.

Tools and iron to be furnished.

Friendship renewed.

Art. 5. The friendship heretofore existing between the United States and the Shawanee nation is hereby renewed and perpetuated.

Treaty to take effect when ratified.

Art. 6. These articles shall take effect, and become obligatory on the contracting parties, so soon as the same shall be ratified by the president, by and with the advice and consent of the senate of the United States.

In testimony whereof, the said William Clark, and the said delegates of the Shawanee nation, have hereunto set their hands, at the city of St. Louis, the seventh day of November, one thousand eight hundred and twenty-five.

William Clark,
Wawehainni, his x mark,
Kishkalwa, his x mark,
Maywathekeha, his x mark,
Capt. Reed, or Pathecoussa, his x mark,
Nelawachika, his x mark,
Waquiwais, his x mark,
Napawita, his x mark,
Pepamousse, his x mark,
Pemitacamchika, his x mark,
Peter Cornstalk, or Wyawimon, interp. his x mark,
Quamapea, his x mark,
Pelmetachemo, his x mark.

Witnesses present:

A. McNair, *U. S. Indian agent*,
R. Graham, *U. S. Indian agent*,
Pierre Menard, *sub Indian agent*,
John Campbell, *sub Indian agent*,
W. B. Alexander, *sub Indian agent*,
John F. A. Sandford,

L. Valle,
John B. Saipy,
Quatwapea, or col. Lewis, his x mark,
Wysasheka, his x mark.

[*Note.*—The Shawanees are also parties to other treaties—for which see ante, chap. 3, Nos. 3, 4, 6, 9, 12, 13, 16, 17—see also, ante, chap. 7.]

CHAPTER XLI.

SUPPLEMENTARY TO CHAPTER III.*

Treaty with the Sioux and the Chippewa, Sac and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawatomie, tribes of Indians.

No 21. The United States of America have seen with much regret, that wars Treaty with the Sioux, Chippewas, Sacs and Foxes, Ioways, &c. &c. have for many years been carried on between the Sioux and the Chippewa, was, and more recently between the confederated tribes of Sacs and Foxes, and the Sioux; and also between the Ioways and Sioux; which, if not terminated, may extend to the other tribes, and involve the Indians upon the Missouri, the Mississippi, and the Lakes, in general hostilities. In order, therefore, to promote peace among these tribes, and to establish boundaries among them and the other tribes who live in their vicinity, and thereby to remove all causes of future difficulty, the United States have invited the Chippewa, Sac and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawatomie tribes of Indians living upon the Illinois, to assemble together, and in a spirit of mutual conciliation to accomplish these objects; and to aid therein, have appointed William Clark and Lewis Cass, commissioners on their part, who have met the chiefs, warriors, and representatives of the said tribes, and portion of tribes, at Prairie des Chiens, in the territory of Michigan, and after full deliberation, the said tribes, and portion of tribes, have agreed with the United States, and with one another, upon the following articles:

Art. 1. There shall be a firm and perpetual peace between the Sioux and Chippewas; between the Sioux and the confederated tribes of Sacs and Foxes; and between the Ioways and the Sioux. Perpetual peace.

Art. 2. It is agreed between the confederated tribes of the Sacs and Foxes, and the Sioux, that the line between their respective countries shall be as follows: Commencing at the mouth of the Upper Ioway River, on the west bank of the Mississippi, and ascending the said Ioway river, to its left fork; thence up that fork to its source; thence crossing the fork of Red Cedar River, in a direct line to the second or upper fork of the Desmoines river; and thence in a direct line to the lower fork of the Calumet river; and down that river to its juncture with the Missouri river. But the Yancton band of the Sioux tribe, Boundary line between the Sacs and Foxes, and the Sioux.

* This treaty was not ratified until after the printing of this work had progressed too far, to admit of its taking its proper place in chap. 3, as No. 21.

being principally interested in the establishment of the line from the forks of the Desmoines to the Missouri, and not being sufficiently represented to render the definitive establishment of that line proper, it is expressly declared that the line from the forks of the Desmoines to the forks of the Calumet river, and down that river to the Missouri, is not to be considered as settled until the assent of the Yancton band shall be given thereto. And if the said band should refuse their assent, the arrangement of that portion of the boundary line shall be void, and the rights of the parties to the country bounded thereby, shall be the same as if no provision had been made for the extension of the line west of the forks of the Desmoines. And the Sacs and Foxes relinquish to the tribes interested therein, all their claim to land on the east side of the Mississippi river.

Ioways assent to the arrangement between the Sacs and Foxes, and the Sioux.

Art. 3. The Ioways accede to the arrangement between the Sacs and Foxes, and the Sioux; but it is agreed between the Ioways and the confederated tribes of the Sacs and Foxes, that the Ioways have a just claim to a portion of the country between the boundary line described in the next preceding article, and the Missouri and Mississippi; and that the said Ioways, and Sacs and Foxes, shall peaceably occupy the same, until some satisfactory arrangement can be made between them for a division of their respective claims to country.

Claim of the Ottoes not to be affected.

Art. 4. The Ottoes not being represented at this council, and the commissioners for the United States being anxious that justice should be done to all parties, and having reason to believe that the Ottoes have a just claim to a portion of the country upon the Missouri, east and south of the boundary line dividing the Sacs and Foxes and the Ioways, from the Sioux, it is agreed between the parties interested therein, and the United States, that the claim of the Ottoes shall not be affected by any thing herein contained; but the same shall remain as valid as if this treaty had not been formed.

Boundary line between the Sioux and Chippewas.

Art. 5. It is agreed between the Sioux and the Chippewas, that the line dividing their respective countries shall commence at the Chippewa river, half a day's march below the falls; and from thence it shall run to Red Cedar river, immediately below the falls; from thence to the St. Croix river, which it strikes at a place called the Standing Cedar, about a day's paddle in a canoe, above the lake at the mouth of that river; thence passing between two lakes called by the Chippewas "Green Lakes," and by the Sioux "the lakes they bury the Eagles in," and from thence to the Standing Cedar, that "the Sioux Split;" thence to Rum River, crossing it at the mouth of a small creek called Choaking creek, a long day's march from the Mississippi; thence to a point of woods that projects into the prairie, half a day's march from the Mississippi; thence in a straight line to the mouth of the first river which enters the Mississippi

on its west side above the mouth of Sac river ; thence ascending the said river (above the mouth of Sac river) to a small lake at its source ; thence in a direct line to a lake at the head of Prairie river, which is supposed to enter the Crow-wing river on its south side ; thence to Otter-tail lake Portage ; thence to said Otter-tail lake, and down through the middle thereof to its outlet ; thence in a direct line, so as to strike Buffalo river half way from its source to its mouth, and down the said river to Red river, thence descending Red river to the mouth of Outard or Goose creek : The eastern boundary of the Sioux commences opposite the mouth of Ioway river, on the Mississippi, runs back two or three miles to the bluffs, follows the bluffs, crossing Bad Axe river, to the mouth of Black river, and from Black river to half a day's march below the falls of the Chippewa river.

Art. 6. It is agreed between the Chippewas and Winnebagoes, so far as they are mutually interested therein, that the southern boundary line of the Chippewa country shall commence on the Chippewa river aforesaid, half a day's march below the falls of that river, and run thence to the source of Clear Water river, a branch of the Chippewa ; thence south to Black river ; thence to a point where the woods project into the meadows, and thence to the Plover Portage of the Ouisconsin.

Southern boundary of the Chippewas to commence on Chippewa river.

Art. 7. It is agreed between the Winnebagoes and the Sioux, Sacs and Foxes, Chippewas and Ottawas, Chippewas and Potawatomes of the Illinois, that the Winnebago country shall be bounded as follows : south easterly by Rock river, from its source near the Winnebago lake, to the Winnebago village, about forty miles above its mouth ; westerly by the east line of the tract, lying upon the Mississippi, herein secured to the Ottawa, Chippewa and Potawatomie Indians of the Illinois ; and also by the high bluff, described in the Sioux boundary, and running north to Black river ; from this point the Winnebagoes claim up Black river, to a point due west from the source of the left fork of the Ouisconsin ; thence to the source of the said fork, and down the same to the Ouisconsin ; thence down the Ouisconsin to the portage, and across the portage to Fox river ; thence down Fox river to the Winnebago lake, and to the grand Kan Kanlin, including in their claim the whole of Winnebago lake ; but, for the causes stated in the next article, this line from Black river must for the present be left indeterminate.

Boundaries of the Winnebago country.

Art. 8. The representatives of the Menominies not being sufficiently acquainted with their proper boundaries, to settle the same definitively, and some uncertainty existing in consequence of the cession made by that tribe upon Fox river and Green Bay, to the New York Indians, it is agreed between the said Menominie tribe, and the Sioux, Chippewas, Winne-

Boundaries of the Menominies not sufficiently known to be settled definitively.

bagoes, Ottawa, Chippewa and Potawatomie Indians of the Illinois, that the claim of the Menominies to any portion of the land within the boundaries allotted to either of the said tribes, shall not be barred by any stipulation herein; but the same shall remain as valid as if this treaty had not been concluded.

General claim
of the Meno-
minies.

It is, however, understood that the general claim of the Menominies is bounded on the north by the Chippewa country, on the east by Green Bay and lake Michigan, extending as far south as Millawankee river, and on the west they claim to Black river.

Boundaries of
the Ottawa,
Chippewa,
and Potawato-
mie country.

Art. 9. The country secured to the Ottawa, Chippewa and Potawatomie tribes of the Illinois, is bounded as follows: Beginning at the Winnebago village, on Rock river, forty miles from its mouth, and running thence down the Rock river to a line which runs from lake Michigan to the Mississippi, and with that line to the Mississippi, opposite to Rock Island; thence up that river to the United States reservation, at the mouth of the Ouisconsin; thence with the south and east lines of the said reservation to the Ouisconsin; thence, southerly, passing the heads of the small streams emptying into the Mississippi, to the Rock river at the Winnebago village. The Illinois Indians have also a just claim to a portion of the country bounded south by the Indian boundary line aforesaid, running from the southern extreme of lake Michigan, east by lake Michigan, north by the Menominie country, and north-west by Rock river. This claim is recognised in the treaty concluded with the said Illinois tribes at St. Louis, August 24, 1816, but as the Millawakee and Manetoowalk bands are not represented at this council, it cannot be now definitively adjusted.

All the tribes
under the con-
trol of the U.
States.
U. S. recog-
nize bounda-
ries.

Reservations
excepted from
the claim of
either of the
tribes.

Art. 10. All the tribes aforesaid acknowledge the general controlling power of the United States, and disclaim all dependence upon, and connection with, any other power. And the United States agree to, and recognise, the preceding boundaries, subject to the limitations and restrictions before provided. It being, however, well understood that the reservations at Fever river, at the Ouisconsin, and St. Peters, and the ancient settlements at Prairie des Chiens and Green Bay, and the lands properly thereto belonging, and the reservations made upon the Mississippi, for the use of the half breeds, in the treaty concluded with the Sacs and Foxes, August 24, 1824, are not claimed by either of the said tribes.

U. S. to con-
vene tribes to
adjust unset-
tled lines.

Art. 11. The United States agree, whenever the president may think it necessary and proper, to convene such of the tribes, either separately or together, as are interested in the lines left unsettled herein, and to recommend to them an amicable and final adjustment of their respective claims, so that the work, now happily begun, may be consummated. It is agreed, however, that a council shall be held with the Yanceton

Council to be
held with the

band of the Sioux, during the year 1826, to explain to them the stipulations of this treaty, and to procure their assent thereto, should they be disposed to give it, and also with the Ottos, to settle and adjust their title to any of the country claimed by the Sacs, Foxes, and Ioways. Yanctons and Ottos in 1826.

Art. 12. The Chippewa tribe being dispersed over a great extent of country, and the chiefs of that tribe having requested that such portion of them as may be thought proper, by the government of the United States, may be assembled in 1826, upon some part of lake Superior, that the objects and advantages of this treaty may be fully explained to them, so that the stipulations thereof may be observed by the warriors, the commissioners of the United States assent thereto, and it is therefore agreed that a council shall accordingly be held for these purposes. Council to be held with the Chippewas in 1826.

Art. 13. It is understood by all the tribes, parties hereto, that no tribe shall hunt within the acknowledged limits of any other without their assent, but it being the sole object of this arrangement to perpetuate a peace among them, and amicable relations being now restored, the chiefs of all the tribes have expressed a determination cheerfully to allow a reciprocal right of hunting on the lands of one another, permission being first asked and obtained, as before provided for. No tribe to hunt on the lands of another without permission.

Art. 14. Should any causes of difficulty hereafter unhappily arise between any of the tribes, parties hereunto, it is agreed that the other tribes shall interpose their good offices to remove such difficulties; and also that the government of the United States may take such measures as they may deem proper, to effect the same object. Tribes to interpose to remove difficulties; also the government.

Art. 15. This treaty shall be obligatory on the tribes, parties hereto, from and after the date hereof, and on the United States, from and after its ratification by the government thereof. Treaty to be obligatory from date, &c.

Done and signed and sealed at Prairie des Chiens, in the territory of Michigan, this nineteenth day of August, one thousand eight hundred and twenty-five, and of the independence of the United States the fiftieth.

William Clark,
Lewis Cass.

SIoux.

Wa-ba-sha x or the leaf,
Pe-tet-te x Corbeau, little crow,
The Little x of the Wappitong tribe,
Tartunka-nasiah x Sussitong,
Sleepy Eyes x do.
Two faces x do.
French Crow x Wappacoota,
Kee-jee x do.
Tar-se-ga x do.
Wa-ma-de-tun-ka x black dog,

Wan-na-ta x Yancton, or he that charges on his enemies,
 Red Wing x
 Ko-ko-ma-ko x
 Sha-co pe x the Sixth,
 Pe-ni-si-on x
 Eta-see-pa x Wabashas band,
 Wa-ka-u-hee, x Sioux band, rising thunder,
 The Little Crow, x Sussetong,
 Po-e-ha-pa x Me-da-we-con-tong, or eagle head,
 Ta-ke-wa-pa x Wappitong, or medicine blanket,
 Tench-ze-part, x his bow,
 Masc-pu-lo-chas-tosh x the white man,
 Te-te-kar-munch x the buffalo man,
 Wa-sa-o-ta x Sussetong, or a great of hail,
 Oeyah-ko-ca, x the crackling tract,
 Mak-to-wah-ke-ark, x the bear.

WINNEBAGOES.

Les quatre gambes, x
 Carimine, x the turtle that walks,
 De-ca-ri, x
 Wan-ca-ha-ga, x or snake's skin,
 Sa-sa-ma-ni, x
 Wa-non-che-quas, x the merchant,
 Chon-que-pa, x or dog's head,
 Cha-rat-chon, x the smoker,
 Ca-ri-ca-si-ca, x he that kills the crow,
 Watch-kat-o-que, x the grand canoe,
 Ho-wa-mick-a, x the little elk.

MENOMINIES.

Ma-can-mc-ta, x medicine bear,
 Chau-wee-nou-mi-tai, x medicine south wind,
 Char-o-nee, x
 Ma-wesh-z, x the little wolf,
 A-ya-pas-mis-ai, x the thunder that turns,
 Cha-ne-pau, x the riband,
 La-me-quon, x the spoon,
 En-im-e-tas, x the barking wolf,
 Pape-at, x the one just arrived,
 O-que-men-oe, x the little chief.

CHIPPEWAS.

Shinguaba x W'Ossin, 1st chief of the Chippewa nation,
 Sante St. Marie,
 Gitspee x Jiauba, 2d chief,
 Gitspee x Waskce, or le bœuf of La Pointe Lake Superior,
 Nain-a-boozho, x of La Pointe Lake Superior,
 Monga, x Zid or Loons Foot of Fond du Lac,
 Weescoup, x or Suere of Fond du Lac,
 Mush-Koas, x or the Elk of Fond du Lac,
 Nau-bun x Aq-ez-zhik, of Fond du Lac,
 Kau-ta-waubeta, x or broken tooth of Sandy Lake,
 Pugisaingegen, x or broken arm of Sandy Lake,
 Kwee-weezaishish, x or Gross Guelle of Sandy Lake,
 Ba-ba-see-kun-dade, x or curling hair of Sandy Lake,
 Paashineep, x or man shooting at the mark of Sandy Lake,
 Pu-ga-a-gik, x the little beef Leech Lake,
 Pee-see-ker, x or buffalo St. Croix band,
 Nau-din, x or the wind St. Croix band,

Nat-quan-a-bee, x of Milk Lake,
 Tu-kau-bis-hoo, x or crouching lynx of Lac Courte Ori-
 elle,
 The Red Devil x of Lac Courte Orielle,
 The Track x of Lac Courte Orielle,
 Ne-bo-na-bee, x the mermaid Lac Courte Orielle,
 Pi-a-grick, x the single man St. Croix,
 Pu-in-a-ne-gi, x or the hole in the day Sandy Lake,
 Moose-o-mon-e, x plenty of elk St. Croix band,
 Nees-o-pe-na, x or two birds of Upper Red Cedar Lake,
 Shaata, x the pelican of Leech Lake,
 Che-on-o-quet, x the great cloud of Leech Lake,
 I-au-ben-see, x the little buck of Red Lake,
 Kia-wa-tas, x the barrier of Leech Lake,
 Mau-ge-ga-bo, x the leader of Leech Lake,
 Nan-go-tuck, x the flame of Leech Lake,
 Nee-si-day-fish, x the sky of Red Lake,
 Pee-chan-a-nim, x striped feather of Sandy Lake,
 White Devil, x of Leech Lake,
 Ka-ha-ka, x the sparrow Lac Courte Orielle,
 I-au-be-ence, x little buck of Rice Lake,
 Ca-ba-ma-bee, x the assembly of St. Croix,
 Nau-gau-nosh, x the forward man Lac Flambeau,
 Caw-win-dow, x he that gathers berries of Sandy Lake,
 On-que-ess, x the mink Lake Superior,
 Ke-we-ta-ke-pe, x all round the sky,
 The-see, x

OTTAWAS.

Chaboner, x or Chambly,
 Shaw-fau-wick, x the mink.

POTTAWATOMIES.

Ignace, x
 Ke-o-kuk, x
 Che-chan-quose, x the little crane,
 Taw-wa-na-nec, x the trader.

SACS.

Na-o-tuk, x the stabbing chief,
 Fish-ken-su-nec, x all fish,
 Po-ko-nau-quu, x or broken arm,
 Wau-kau-che, x eagle nose,
 Quash-kaume, x jumping fish,
 Ochaach, x the fisher,
 Ke-o-kuck, x the watchful fox,
 Skin-gwin-ee-see, x the ratler,
 Was-ar-wis-ke-no, x the yellow bird,
 Pau-ko-tuk, x the open sky,
 Au-kaak-wan-e-suk, x he that vaults on the earth,
 Mu-ku-taak-wan-wet, x
 Mis-ke-bee, x the standing hair.

FOXES.

Wan-ba-law, x the playing fox,
 Ti-a-mah, x the bear that makes the rocks shake,
 Pee ar-maski, x the jumping sturgeon,
 Shagwa-na-tekwisu, x the thunder that is heard all over
 the world,
 Mis-o-win, x moose deer horn,
 No-ko-wot, x the down of the fur,
 Nau-sa-wa-quot, x the bear that sleeps on the forks,

Shin-quin-is, x the ratler,
 O-lo-pee-asu, x or Macho-paho-ta, the bear,
 Keena, x the sun,
 No-wank, x he that gives too little,
 Kan-ka-mote, x
 Neck-waa, x
 Ka-tuck-e-kan-ka, x the fox with a spotted breast.
 Mock-to-back-a-gum, x black tobacco,
 Wes-keas, x the bear family.

IOWAYS.

Ma-hos-ka, x the white cloud,
 Pumpkin, x
 Wa-ca-nec, x the painted medicine,
 Tar-no-mun, x a great many deer,
 Wa-hoo-ga, x the owl,
 Ta-ca-mo-nec, x the lightning,
 Wa-push-a, x the man killer,
 To-nup-he-non-e, x the flea,
 Mon-da-tonga, x
 Cho-wa-row-e, x

Witnesses :

Thomas Biddle, *secretary*,
 R. A. W. Cabe, *capt. 5th inf*,
 R. A. Forsyth,
 N. Boilvin, *U. S. Ind. agt.*
 C. C. Trowbridge, *sub. Ind. agt.*
 Henry R. Schoolcraft, *U. S. Ind. agent*,
 B. F. Harney, *surg. U. S. A.*
 W. B. Alexander, *sub Ind. agent*,
 Thomas Forsyth, *agent Indian affairs*,
 Marvien Blondau,
 David Bailey,
 James McIlvaine, *lieut. U. S. army*,
 Law. Taliaferro, *Ind. agent for Upper Mississippi*,
 John Holliday,
 William Dickson,
 S. Campbell, *U. S. interpreter*,
 J. A. Lewis,
 William Holiday,
 Dunable Denejlevy,
 Bela Chapman.

[*Note.*—All the tribes who are parties to this treaty; are parties to others, to wit: the Sioux, ante, chapter 17; the Chippewas, ante, chap. 3, Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 19, 20—also, ante, chap. 30; the Sacs and Foxes, ante, chap. 11; the Menomimies, ante, chap. 23; the Ioways, ante, chap. 20; the Winnebagoes, ante, chap. 22; the Ottawas, ante, chap. 3, Nos. 1, 2, 3, 6, 8, 9, 13, 15, 16, 17, 19, 20; the Pottawatomies, ante, chap. 3, Nos. 2, 3, 4, 6, 7, 8, 9, 10, 13, 15, 16, 20—also, ante, chap. 15.]

CHAPTER XLII.

Treaty with the Creek nation of Indians.

SUPPLEMENTARY TO CHAPTER VIII.*

No. 9. Articles of a treaty made at the City of Washington, this twenty-fourth day of January, one thousand eight hundred and twenty-six, between James Barbour, Secretary of War, thereto specially authorized by the president of the United States, and the undersigned chiefs and head men of the Creek nation of Indians, who have received full power from the said nation, to conclude and arrange all the matters herein provided for.

Treaty with the Creeks.

Whereas a treaty was concluded at the Indian Springs, on the twelfth day of February last, between commissioners on the part of the United States, and a portion of the Creek nation, by which an extensive district of country was ceded to the United States;

Reference to treaty of 12th Feb. 1825. See ante, chap. 8, No. 8.

And whereas a great majority of the chiefs and warriors of the said nation have protested against the execution of the said treaty, and have represented that the same was signed on their part by persons having no sufficient authority to form treaties or to make cessions, and that the stipulations in the said treaty are, therefore, wholly void;

And whereas the United States are unwilling that difficulties should exist in the said nation, which may eventually lead to an intestine war, and are still more unwilling that any cessions of land should be made to them, unless with the fair understanding and full assent of the tribe making such cession, and for a just and adequate consideration, it being the policy of the United States, in all their intercourse with the Indians, to treat them justly and liberally, as becomes the relative situation of the parties;

Now, therefore, in order to remove the difficulties which have thus arisen, to satisfy the great body of the Creek nation, and to reconcile the contending parties into which it is unhappily divided, the following articles have been agreed upon and concluded, between James Barbour, Secretary of War, specially authorized as aforesaid, and the said chiefs and head men representing the Creek nation of Indians:

Art. 1. The treaty concluded at the Indian Springs, on the twelfth day of February, one thousand eight hundred and twenty-five, between commissioners on the part of the United States and the said Creek nation of Indians, and ratified by the United States on the seventh day of March, one thousand eight hundred and twenty-five, is hereby declared to be null and void, to every intent and purpose whatsoever; and every right and claim arising from the same is hereby cancelled and surrendered.

Treaty of 12th Feb. 1825, declared null and void.

* This treaty was not ratified in time to take its place as No. 9. of Chap. 8.

Cession of
lands by the
Creek nation.

Art. 2. The Creek nation of Indians cede to the United States all the land belonging to the said nation in the state of Georgia, and lying on the east side of the middle of the Chatahoochy river. And, also, another tract of land lying within the said state, and bounded as follows: Beginning at a point on the western bank of the said river, forty-seven miles below the point where the boundary line between the Creeks and Cherokees strikes the Chatahoochy river, near the Buzzard's Roost, measuring the said distance in a direct line, and not following the meanders of the said river; and from the point of beginning, running in a direct line to a point in the boundary line between the said Creeks and the Cherokees, thirty miles west of the said Buzzard's Roost, thence to the Buzzard's Roost, and thence with the middle of the said river to the place of beginning.

\$217,600 to be
paid to Creek
nation.

Art. 3. Immediately after the ratification of this treaty, the United States agree to pay to the chiefs of the said nation, the sum of two hundred and seventeen thousand six hundred dollars, to be divided among the chiefs and warriors of the said nation.

Perpetual an-
nuity of
\$20,000.

Art. 4. The United States agree to pay to the said nation an additional perpetual annuity of twenty thousand dollars.

Difficulties of
the nation to
be amicably
adjusted.

Art. 5. The difficulties which have arisen in the said nation, in consequence of the treaty of the Indian Springs, shall be amicably adjusted, and that portion of the Creek nation who signed that treaty shall be admitted to all their privileges, as members of the Creek nation, it being the earnest wish of the United States, without undertaking to decide upon the complaints of the respective parties, that all causes of dissatisfaction should be removed.

Provision for
the removal
of the friends
and followers
of the late
Gen. McIntosh
west of the Missis-
sippi.

Art. 6. That portion of the Creek nation, known as the friends and followers of the late General William McIntosh, having intimated to the government of the United States their wish to remove west of the Mississippi, it is hereby agreed, with their assent, that a deputation of five persons shall be sent by them, at the expense of the United States, immediately after the ratification of this treaty, to examine the Indian country west of the Mississippi, not within either of the states or territories, and not possessed by the Choctaws or Cherokees. And the United States agree to purchase for them, if the same can be conveniently done upon reasonable terms, wherever they may select, a country, whose extent shall, in the opinion of the president, be proportioned to their numbers. And if such purchase cannot be thus made, it is then agreed that the selection shall be made where the president may think proper, just reference being had to the wishes of the emigrating party.

Emigrants to
remove within

Art. 7. The emigrating party shall remove within twenty-four months, and the expense of their removal shall be defray-

ed by the United States. And such subsistence shall also be furnished them, for a term not exceeding twelve months after their arrival at their new residence, as, in the opinion of the president, their numbers and circumstances may require.

Art. 8. An agent, or sub-agent, and interpreter, shall be appointed to accompany and reside with them. And a blacksmith and wheelwright shall be furnished by the United States. Such assistance shall also be rendered to them in their agricultural operations, as the president may think proper.

Art. 9. In consideration of the exertions used by the friends and followers of Gen. McIntosh to procure a cession at the Indian Springs, and of their past difficulties and contemplated removal, the United States agree to present to the chiefs of the party, to be divided among the chiefs and warriors, the sum of one hundred thousand dollars, if such party shall amount to three thousand persons, and in that proportion for any smaller number. Fifteen thousand dollars of this sum to be paid immediately after the ratification of this treaty, and the residue upon their arrival in the country west of the Mississippi.

Art. 10. It is agreed by the Creek nation, that an agent shall be appointed by the president, to ascertain the damages sustained by the friends and followers of the late General McIntosh, in consequence of the difficulties growing out of the treaty of the Indian Springs, as set forth in an agreement entered into with General Gaines, at the Broken Arrow, and which have been done contrary to the laws of the Creek nation; and such damages shall be repaired by the said nation, or the amount paid out of the annuity due to them.

Art. 11. All the improvements which add real value to any part of the land herein ceded, shall be appraised by commissioners, to be appointed by the president; and the amount thus ascertained shall be paid to the parties owning such improvements.

Art. 12. Possession of the country herein ceded shall be yielded by the Creeks on or before the first day of January next.

Art. 13. The United States agree to guarantee to the Creeks all the country; not herein ceded, to which they have a just claim, and to make good to them any losses they may incur in consequence of the illegal conduct of any citizen of the United States within the Creek country.

Art. 14. The president of the United States shall have authority to select, in some part of the Creek country, a tract of land, not exceeding two sections, where the necessary public buildings may be erected, and the persons attached to the agency may reside.

Art. 15. Wherever any stream, over which it may be necessary to establish ferries, forms the boundary of the Creek

two years, and expenses to be paid by the U. States.

Agent to be appointed, and a blacksmith, &c. to be furnished.

Friends and followers of Gen. McIntosh to be paid \$100,000.

Agent to be appointed to ascertain damages sustained by the friends and followers of Gen. McIntosh.

Improvements on ceded lands to be paid for.

Possession of ceded lands to be given by the Creeks 1st Jan. 1827.

U. S. guarantee to Creeks the country not ceded by them, and to make good losses.

Site for the agency.

Ferriage regulated.

country, the Creek Indians shall have the right of ferriage from their own land, and the citizens of the United States from the land to which the Indian title is extinguished.

Creek chiefs to appoint commissioners to attend the running of lines.

Art. 16. The Creek chiefs may appoint three commissioners from their own people, who shall be allowed to attend the running of the lines west of the Chatahoochy river, and whose expenses, while engaged in this duty, shall be defrayed by the United States.

Treaty obligatory when ratified.

Art. 17. This treaty, after the same has been ratified by the president and senate, shall be obligatory on the United States and on the Creek nation.

In testimony whereof, the said James Barbour, Secretary of War, authorized as aforesaid, and the chiefs of the said Creek nation of Indians, have hereunto set their hands, at the City of Washington, the day and year aforesaid.

James Barbour,
O-poth-le Yoholo, his x mark,
John Stidham, his x mark,
Mad Wolf, his x mark,
Menawee, his x mark,
Tuskeek Tustunnuggee, his x mark,
Charles Cornells, his x mark,
Timpoochy Barnard, his x mark,
Apauly Tustunnuggee, his x mark,
Coosa Tustunnuggee, his x mark,
Nahetluc Hopie, his x mark,
Selocta, his x mark,
Ledagi, his x mark,
Yoholo Micco, his x mark.

In presence of

Thomas L. McKenney,
Lewis Cass,
John Crowell, *agent for I. A.*
Hezekiah Miller,
John Ridge, *secretary Creek Delegation,*
David Vann.

The preceding treaty.

SUPPLEMENTARY ARTICLE

To the Creek treaty of twenty-fourth January, 1826.

Line provided for in the 2d article of the preceding treaty extended.

Whereas a stipulation in the second article of the treaty of the twenty-fourth day of January, 1826, between the undersigned, parties to said treaty, provides for the running of a line "beginning at a point on the western bank of the Chatahoochy river, forty-seven miles below the point where the boundary line between the Creeks and Cherokees strikes the said river, near the Buzzard's Roost, measuring the said distance in a direct line, and not following the meanders of the said river, and from the point of beginning, running in a direct line to a point in the boundary line between the said Creeks and the Cherokees, thirty miles west of the said Buzzard's Roost, thence to the Buzzard's Roost, and thence with the middle of said river

to the place of beginning :'' And whereas it having been represented to the party to the said treaty in behalf of the Creek nation, that a certain extension of said lines might embrace in the cession all the lands which will be found to lie within the chartered limits of Georgia, and which are owned by the Creeks, the undersigned do hereby agree to the following extension of said lines, viz: In the place of "forty-seven miles," as stipulated in the second article of the treaty aforesaid, as the point of beginning, the undersigned agree that it shall be *fifty miles*, in a direct line below the point designated in the second article of said treaty; thence running in a direct line to a point in the boundary line between the Creeks and Cherokees, *forty-five miles* west of said Buzzard's Roost, in the place of "thirty miles," as stipulated in said treaty; thence to the Buzzard's Roost, and thence to the place of beginning—it being understood that these lines are to stop at their intersection with the boundary line between Georgia and Alabama, wherever that may be, if that line shall cross them in the direction of the Buzzard's Roost, at a shorter distance than it is provided they shall run; and provided, also, that if the said dividing line between Georgia and Alabama, shall not be reached by the extension of the two lines aforesaid, the one three, and the other fifteen miles, they are to run and terminate as defined in this supplemental article to the treaty aforesaid.

It is hereby agreed, in consideration of the extension of said lines, on the part of the other party to the treaty aforesaid, in behalf of the United States, to pay to the Creek nation, immediately upon the ratification of said treaty, the sum of thirty thousand dollars.

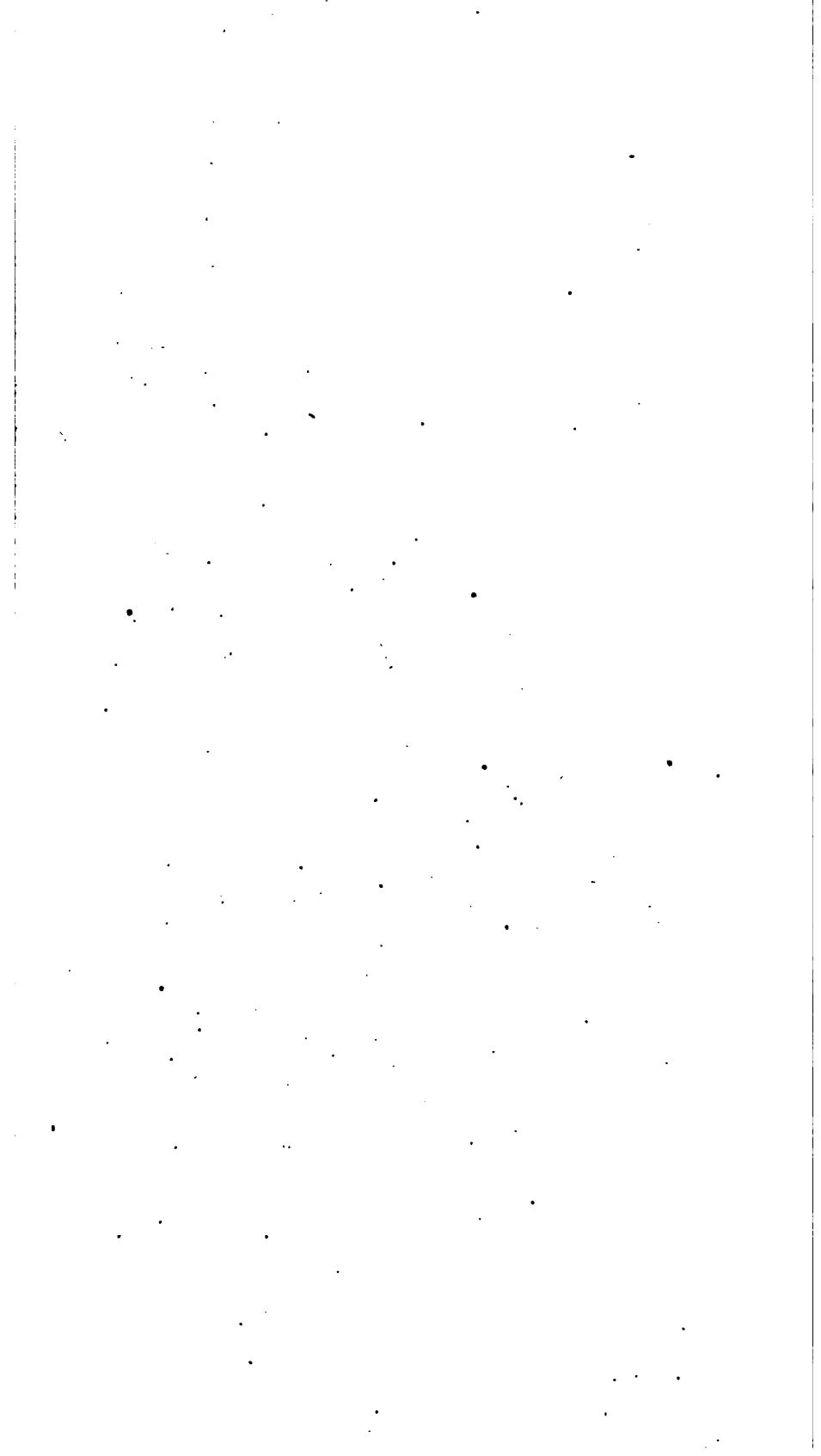
U. States to
pay Creek na-
tion \$30,000.

In witness whereof, the parties aforesaid have hereunto set their hands and seals, this thirty-first day of March, in the year of our Lord one thousand eight hundred and twenty-six.

James Barbour,
Opothle Yoholo, his x mark,
John Stidham, his x mark,
Mad Wolf, his x mark,
Tuskekee Tustunnuggee, his x mark,
Yoholo Micco, his x mark,
Menawee, his x mark,
Charles Cornella, his x mark,
Apauly Tustunnuggee, his x mark,
Coosa Tustunnuggee, his x mark,
Nahetluc Hopie, his x mark,
Selocta, his x mark,
Timpoochy Barnard, his x mark,
Ledagi, his x mark.

In presence of

Thomas L. McKenney,
John Crowell, *agent for I. A.*
John Ridge, *secretary*,
David Vann,
Wm. Hamblly.



LAWS OF THE UNITED STATES

RELATING TO INDIAN AFFAIRS.

CHAPTER XLIII.

An act to make provision relative to rations for Indians, and to their visits to the seat of Government.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall be and hereby is, authorized and empowered to cause such rations as he shall judge proper, and as can be spared from the army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts of the United States on the frontiers, or within their respective nations.

President authorized to cause rations to be issued to Indians visiting military posts.

SEC. 2. *And be it further enacted,* That the President of the United States shall be, and hereby is, further authorized and empowered to cause to be defrayed, on the part of the United States, the reasonable expenses of such Indians as may, from time to time, visit the seat of Government thereof, for their journeys to, stay at, and return from the same; and also to cause to be given to such Indians, during their stay as aforesaid, such presents as he shall judge necessary.

The President authorized to pay expenses of visits of Indians to the seat of government, and to bestow presents.

SEC. 3. *And be it further enacted,* That a separate account of all rations issued, and expenses defrayed, as aforesaid, and of the expenditures occasioned by such presents, as are aforesaid, shall be kept at the Department of War.

A separate account of rations, &c. to be kept at the department of War.

Approved, May 13, 1800.

JOHN ADAMS.

CHAPTER XLIV.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following boundary line, established by treaty between the United States and various Indian tribes, shall be clearly ascertained, and distinctly marked in all such

Boundary line between the United States and various

Indian tribes, according to treaties, to be ascertained and marked, &c.

places as the President of the United States shall deem necessary; and in such manner as he shall direct, to wit: Beginning at the mouth of the Cayahoga river, on lake Erie, and running thence; up the same, to the portage between that and the Tuscaroras branch of the Muskingum; thence, down that branch, to the crossing place above Fort Lawrence; thence, westwardly, to a fork of that branch of the Great Miami river running into the Ohio; at or near which fork stood Laromie's store, and where commences the portage, between the Miami of the Ohio and St. Mary's river, which is a branch of the Miami, which runs into lake Erie; thence, a westwardly course, to Fort Recovery, which stands on a branch of the Wabash; thence, southwestwardly, in a direct line to the Ohio, so as to intersect that river opposite the mouth of Kentucky or Cuttawa river;* thence, down the said river Ohio, to the tract of one hundred and fifty thousand acres, near the rapids of the Ohio, which has been assigned to General Clarke, for the use of himself and his warriors;† thence, around the said tract, on the line of the said tract, till it shall again intersect the said river Ohio; thence, down the same, to a point opposite the high lands, or ridge, between the mouth of the Cumberland and Tennessee rivers; thence, southeastwardly, on the said ridge, to a point from whence a southwest line will strike the mouth of Duck river;‡ thence, still eastwardly, on the said ridge, to a point forty miles above Nashville; thence, northeast, to Cumberland river; thence, up the said river, to where the Kentucky road crosses the same; thence, to the Cumberland mountain, at the point of Campbell's line; thence, in a southwestwardly direction, along the foot of the Cumberland mountain, to Emory's river; thence, down the same, to its junction with the river Clinch; thence, down the river Clinch to Hawkins's line; thence, along the same to a white oak, marked one mile tree; thence, south, fifty-one degrees west, three hundred and twenty-eight chains, to a large ash tree on the bank of the river Tennessee, one mile below Southwest Point; thence, up the northeast margin of the river Tennessee (not including islands,) to the Wild Cat Rock, below Tellico block house; thence, in a direct line, to the Militia Spring, near the Maryville road leading from Tellico; thence, from the said Spring, to the Chilhowee mountain, by a line so to be run as will leave all the farms on Nine Mile Creek to the northward and eastward of it, and to be continued along the Chilhowee mountain until it strikes Hawkins's line; thence, along the said line, to the great Iron mountain; and from the top of which a line to be continued, in a southeastwardly course, to where the most southern branch of Little river crosses the divisional line to Tugaloo river;|| thence, along the South Carolina Indian boundary, to and over the Ocunna mountain, in a southwest

*See the treaty of Greenville, of the 3d Aug. 1795. Ante, chap. 3, No. 3 art. 3, p. 49.

†See ante, page 52.

‡See the treaty with the Chickasaws of 10th Jan. 1786, ante, chap. 6, No. 1, page 175.

See the treaty of 2d October, 1798,

course, to Tugaloo river; thence, in a direct line, to the top of Currahee mountain, where the Creek line passes it; thence, to the head or source of the main south branch of the Oconee river, called the Apalachee; thence, down the middle of the said main south branch and river Oconee, to its confluence with Oakmulgee, which forms the river Altamaha; thence, down the middle of the said Altamaha, to the old line on the said river; and thence, along the said old line, to the river St. Mary's.* *Provided always*, That if the boundary line between the said Indian tribes and the United States, shall, at any time hereafter, be varied, by any treaty which shall be made between the said Indian tribes and the United States, then all the provisions contained in this act shall be construed to apply to the said line so to be varied, in the same manner as said provisions apply, by force of this act, to the boundary line herein before recited.

with the Cherokees, ante, chap. 4, No. 4, page 123.

*See the treaty of New York with the Creeks, of 7th Aug. 1790, ante, chap. 8. No. 1, p. 190.

SEC. 2. *And be it further enacted*, That if any citizen of, or other person resident in, the United States, or either of the territorial districts of the United States, shall cross over, or go within, the said boundary line, to hunt, or in any wise destroy the game; or shall drive, or otherwise convey, any stock of horses or cattle, to range on any lands allotted or secured, by treaty with the United States, to any Indian tribes, he shall forfeit a sum not exceeding one hundred dollars, or be imprisoned not exceeding six months.

Fine or imprisonment, for crossing the boundary line to hunt.

SEC. 3. *And be it further enacted*, That if any such citizen, or other person, shall go into any country which is allotted or secured, by treaty, as aforesaid, to any of the Indian tribes south of the river Ohio, without a passport first had and obtained from the Governor of some one of the United States, or the officer of the troops of the United States commanding at the nearest post on the frontiers, or such other person as the President of the United States may, from time to time, authorize to grant the same, shall forfeit a sum not exceeding fifty dollars, or be imprisoned not exceeding three months.

Fine or imprisonment for going into the Indian country south of the river Ohio, without a passport.

SEC. 4. *And be it further enacted*, That if any such citizen, or other person, shall go into any town, settlement, or territory, belonging, or secured, by treaty with the United States, to any nation or tribe of Indians, and shall there commit robbery, larceny, trespass, or other crime, against the person or property of any friendly Indian or Indians, which would be punishable, if committed within the jurisdiction of any state against a citizen of the United States; or, unauthorized by law, and with a hostile intention, shall be found on any Indian land, such offender shall forfeit a sum not exceeding one hundred dollars, and be imprisoned not exceeding twelve months; and shall also, when property is taken or destroyed, forfeit and pay, to such Indian or Indians, to whom

Fine and imprisonment for committing robbery, larceny, &c. in Indian settlements, or for being found, with unauthorized hostile intentions, on Indian lands.

When property is taken or destroyed,

the offender forfeits twice the value.

The just value of property taken, &c. to be paid for.

the property taken and destroyed belongs, a sum equal to twice the just value of the property so taken or destroyed: and if such offender shall be unable to pay a sum at least equal to the said just value, whatever such payment shall fall short of the said just value shall be paid out of the treasury of the United States: *Provided, nevertheless*, That no such Indian shall be entitled to any payment out of the treasury of the United States, for any such property taken or destroyed, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence.

Persons making settlements on Indian lands, to suffer fine and imprisonment.

SEC. 5. *And be it further enacted*, That if any such citizen or other person, shall make a settlement on any lands belonging, or secured, or granted, by treaty with the United States, to any Indian tribe, or shall survey, or attempt to survey, such lands, or designate any of the boundaries, by marking trees, or otherwise, such offender shall forfeit a sum not exceeding one thousand dollars, and suffer imprisonment, not exceeding twelve months. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary, to remove from lands, belonging, or secured by treaty, as aforesaid, to any Indian tribe, any such citizen, or other person, who has made, or shall hereafter make, or attempt to make, a settlement thereon.

The president may employ the military force to remove persons settling on Indian lands.

Death, for going into Indian settlements and committing murder.

SEC. 6. *And be it further enacted*, That if any such citizen, or other person, shall go into any town, settlement, or territory, belonging to any nation or tribe of Indians, and shall there commit murder, by killing any Indian or Indians, belonging to any nation or tribe of Indians in amity with the United States, such offender, on being thereof convicted, shall suffer death.

No person to reside at Indian towns, as traders, without license.

SEC. 7. *And be it further enacted*, That no such citizen, or other person, shall be permitted to reside at any of the towns, or hunting camps, of any of the Indian tribes, as a trader, without a license under the hand and seal of the superintendent of the department, or of such other person as the President of the United States shall authorize to grant licenses for that purpose: which superintendent, or person authorized, shall, on application, issue such license, for a term not exceeding two years, to such trader, who shall enter into bond, with one or more sureties, approved of by the superintendent, or person issuing such license, or by the President of the United States, in the penal sum of one thousand dollars, conditioned for the true and faithful observance of such regulations and restrictions as are, or shall be, made for the government of trade and intercourse with the Indian tribes: And the superintendent, or person issuing such license, shall have full power

Superintendent, &c. to issue license, not exceeding two years. Bond in case of license.

Condition of the bond.

Persons issuing licenses

and authority to recall the same, if the person so licensed shall transgress any of the regulations or restrictions provided for the government of trade and intercourse with the Indian tribes; and shall put in suit such bonds as he may have taken, on the breach of any condition therein contained.*

may recall them.

Bonds, on breach of condition, to be put in suit.

SEC. 8. *And be it further enacted*, That any such citizen, or other person, who shall attempt to reside in any town or hunting camp, of any of the Indian tribes, as a trader, without such license, shall forfeit all the merchandise offered for sale to the Indians, or found in his possession, and shall, moreover, be liable to a fine, not exceeding one hundred dollars, and to imprisonment, not exceeding thirty days.

Forfeiture, fine, and imprisonment, for trading without license.

SEC. 9. *And be it further enacted*, That if any such citizen, or other person, shall purchase, or receive, of any Indian, in the way of trade or barter, a gun, or other article commonly used in hunting, any instrument of husbandry, or cooking utensil, of the kind usually obtained by the Indians, in their intercourse with white people, or any article of clothing, excepting skins or furs, he shall forfeit a sum not exceeding fifty dollars, and be imprisoned not exceeding thirty days.

Fine and imprisonment for receiving guns, &c. from Indians, except, &c.

SEC. 10. *And be it further enacted*, That no such citizen, or other person, shall be permitted to purchase any horse of an Indian, or of any white man in the Indian territory, without special license for that purpose; which license the superintendent, or such other person as the President shall appoint, is hereby authorized to grant, on the same terms, conditions, and restrictions, as other licenses are to be granted under this act: and any such person, who shall purchase a horse or horses, under such license, before he exposes such horse or horses for sale, and within fifteen days after they have been brought out of the Indian country, shall make a particular return to the superintendent, or other person, from whom he obtained his license, of every horse purchased by him, as aforesaid; describing such horses, by their colour, height, and other natural or artificial marks, under the penalty contained in their respective bonds. And every such person, purchasing a horse or horses, as aforesaid, in the Indian country, without a special license, shall, for every horse thus purchased, and brought into any settlement of citizens of the United States, forfeit a sum not exceeding one hundred dollars, and be imprisoned not exceeding thirty days. And every person who shall purchase a horse, knowing him to be brought out of the Indian territory, by any person or persons not licensed, as above, to purchase the same, shall forfeit the value of such horse.

No person to purchase horses of Indians, &c. without a license. Superintendent, &c. to grant licenses.

Particular return, before sale, of horses brought out of the Indian country, &c.

Fine and imprisonment, for purchasing horses in the Indian country without license.

Forfeit of the value, for purchasing horses brought, &c. without license.

SEC. 11. *And be it further enacted*, That no agent, superintendent, or other person, authorized to grant a license to

Persons granting licenses, to

* This section repealed by act of 6th May, 1822; see post.

have no interest in the Indian trade, except, &c.

trade, or purchase horses, shall have any interest or concern in any trade with the Indians, or in the purchase or sale of any horse to, or from, any Indian, excepting for and on account of the United States: And any person offending herein, shall forfeit a sum not exceeding one thousand dollars, and be imprisoned not exceeding twelve months.

No purchase or grant of Indian lands valid, unless made by treaty, pursuant to the constitution.

*See the const. U. S. art. 2, sec. 2, cl. 2.

Fine and imprisonment for treating with Indians without authority.

SEC. 12. *And be it further enacted*, That no purchase, grant, lease, or other conveyance, of lands, or of any title or claim thereto, from any Indian, or nation, or tribe of Indians, within the bounds of the United States, shall be of any validity, in law or equity, unless the same be made by treaty or convention, entered into pursuant to the constitution: * And it shall be a misdemeanor in any person, not employed under the authority of the United States, to negotiate such treaty or convention, directly or indirectly, to treat with any such Indian nation, or tribe of Indians, for the title or purchase of any lands by them held or claimed, punishable by fine, not exceeding one thousand dollars, and imprisonment, not exceeding twelve months: *Provided, nevertheless*, That it shall be lawful for the agent or agents of any state, who may be present at any treaty held with Indians under the authority of the United States, in the presence, and with the approbation, of the commissioner or commissioners of the United States, appointed to hold the same, to propose to, and adjust with, the Indians, the compensation to be made for their claims to lands within such state which shall be extinguished by the treaty.

The president may furnish useful animals, &c.

SEC. 13. *And be it further enacted*, That in order to promote civilization among the friendly Indian tribes, and to secure the continuance of their friendship, it shall be lawful for the President of the United States to cause them to be furnished with useful domestic animals, and implements of husbandry, and with goods or money, as he shall judge proper, and to appoint such persons, from time to time, as temporary agents, to reside among the Indians, as he shall think fit: *Provided*, That the whole amount of such presents, and allowance to such agents, shall not exceed fifteen thousand dollars per annum.

Proviso.

In case Indians cross the boundary line into the states or territories, and steal property, commit murder, &c., the injured party to apply to the superintendent, who is to make application to the tribe to which

SEC. 14. *And be it further enacted*, That if any Indian or Indians, belonging to any tribe in amity with the United States, shall come over or cross the said boundary line, into any state or territory inhabited by citizens of the United States, and there take, steal or destroy any horse, horses, or other property, belonging to any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, or shall commit any murder, violence or outrage, upon any such citizen or inhabitant, it shall be the duty of such citizen or inhabitant, his representative, attorney or agent, to make application to the superintendent, or such other person as the

president of the United States shall authorize for that purpose; who, upon being furnished with the necessary documents and proofs, shall, under the direction or instruction of the president of the United States, make application to the nation or tribe, to which such Indian or Indians shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, then it shall be the duty of such superintendent or other person authorized as aforesaid, to make return of his doings to the president of the United States, and forward to him all the documents and proofs in the case, that such further steps may be taken, as shall be proper to obtain satisfaction, for the injury:

the offending Indians belong, and if the tribe refuses or neglects to make satisfaction, the superintendent to report proceedings to the president.

and in the mean time, in respect to the property so taken, stolen or destroyed, the United States guarantee to the party injured, an eventual indemnification: *Provided always*, That if such injured party, his representative, attorney or agent, shall, in any way, violate any of the provisions of this act, by seeking, or attempting to obtain private satisfaction or revenge, by crossing over the line, on any of the Indian lands, he shall forfeit all claim upon the United States, for such indemnification: *And provided also*, That nothing herein contained shall prevent the legal apprehension or arresting, within the limits of any state or district, of any Indian, having so offended: *And provided further*, That it shall be lawful for the president of the United States, to deduct such sum or sums, as shall be paid for the property taken, stolen or destroyed by any such Indian, out of the annual stipend, which the United States are bound to pay to the tribe, to which such Indian shall belong.

The U. States guarantee indemnification. *Provido.*

Provido.

Provido.

SEC. 15. *And be it further enacted*, That the superior courts in each of the said territorial districts, and the circuit courts and other courts of the United States of similar jurisdiction in criminal causes, in each district of the United States, in which any offender against this act shall be apprehended, or agreeably to the provisions of this act, shall be brought for trial, shall have, and are hereby invested with, full power and authority to hear and determine all crimes, offences, and misdemeanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences, and misdemeanors, had been committed within the bounds of their respective districts: And in all cases where the punishment shall not be death, the county courts of quarter sessions in the said territorial districts, and the district courts of the United States in their respective districts, shall have, and are hereby invested with, like power to hear and determine the same, any law to the contrary notwithstanding: And in all cases where the punishment shall be death; it shall be lawful for the governor of either of the territorial districts where the offender shall be apprehended, or into which he shall be brought for trial, to issue a commis-

Superior territorial courts, invested with full power to hear and determine offences against this act.

In cases where the punishment is not death, the territorial county courts invested with power to hear and determine.

In cases where the punishment is death,

the governors of territorial districts may issue a commission of oyer and terminer. When the offender is brought for trial into any of the U. S. the president may issue a commission, except, &c.

The district courts of Kentucky, Tennessee, and Maine, to have jurisdiction.

The military force may apprehend persons found in the Indian country, &c.

Proviso.

Officers and soldiers to treat persons in custody with humanity.

Proviso.

sion of oyer and terminer to the superior judges of such district, who shall have full power and authority to hear and determine all such capital cases, in the same manner as the superior courts of such districts have in their ordinary sessions: And when the offender shall be apprehended, or brought for trial, into any of the United States, except Kentucky or Tennessee, it shall be lawful for the president of the United States to issue a like commission to any one or more judges of the supreme court of the United States, and the judge of the district in which such offender may have been apprehended, or shall have been brought for trial, which judges, or any two of them, shall have the same jurisdiction in such capital cases as the circuit court of such district, and shall proceed to trial and judgment in the same manner as such circuit court might or could do. And the district courts of Kentucky, Tennessee and Maine shall have jurisdiction of all crimes, offences, and misdemeanors, committed against this act, and shall proceed to trial and judgment in the same manner as the circuit courts of the United States.

SEC. 16. *And be it further enacted*, That it shall be lawful for the military force of the United States, to apprehend every person who shall or may be found in the Indian country, over and beyond the said boundary line between the United States and the said Indian tribes, in violation of any of the provisions or regulations of this act, and him or them immediately to convey, in the nearest convenient and safe route, to the civil authority of the United States, in some one of the three next adjoining states or districts, to be proceeded against in due course of law: *Provided*, That no person apprehended by military force, as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody, shall treat them with all the humanity which the circumstances will possibly permit: and every officer and soldier who shall be guilty of mal-treating any such person, while in custody, shall suffer such punishment as a court martial shall direct: *Provided*, That the officer having custody of such person or persons shall, if required by such person or persons, conduct him or them to the nearest judge of the supreme or superior court of any state, who, if the offence is bailable, shall take proper bail, if offered, returnable to the district court next to be holden in said district, which bail the said judge is hereby authorized to take, and which shall be liable to be estreated, as any other recognizance for bail, in any court of the United States; and if said judge shall refuse to act, or the person or persons fail to procure satisfactory bail, then the said person or persons are to be proceeded with according to the directions of this act.

SEC. 17. *And be it further enacted*, That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the territorial districts of the United States, such offender may be there apprehended and brought to trial, in the same manner as if such crime or offence had been committed within such state or district; and it shall be the duty of the military force of the United States, when called upon by the civil magistrate, or any proper officer, or other person duly authorized for that purpose, and having a lawful warrant, to aid and assist such magistrate, officer, or other person authorized as aforesaid, in arresting such offender, and him committing to safe custody for trial according to law.

Offenders against this act, found within any state, &c.

The military force to aid in arresting offenders.

SEC. 18. *And be it further enacted*, That the amount of fines, and duration of imprisonment, directed by this act as a punishment for the violation of any of the provisions thereof, shall be ascertained and fixed, not exceeding the limits prescribed, in the discretion of the court, before whom the trial shall be had; and that all fines and forfeitures, which shall accrue under this act, shall be one-half to the use of the informant, and the other half to the use of the United States; except where the prosecution shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Amount of fines, &c. to be fixed by the courts, at discretion.

A moiety of fines and forfeitures to the informer, except, &c.

SEC. 19. *And be it further enacted*, That nothing in this act shall be construed to prevent any trade or intercourse with Indians living on lands surrounded by settlements of the citizens of the United States, and being within the ordinary jurisdiction of any of the individual states; or the unmolested use of a road from Washington district to Mero district, or to prevent the citizens of Tennessee from keeping in repair the said road, under the direction or orders of the governor of said state, and of the navigation of the Tennessee river, as reserved and secured by treaty;* nor shall this act be construed to prevent any person or persons travelling from Knoxville to Price's settlement, or to the settlement on Obed's river, (so called,) provided they shall travel in the trace or path which is usually travelled, and provided the Indians make no objection; but if the Indians object, the president of the United States is hereby authorized to issue a proclamation, prohibiting all travelling on said traces, or either of them, as the case may be, after which, the penalties of this act shall be incurred by every person travelling or being found on said traces, or either of them, to which the prohibition may apply, within the Indian boundary, without a passport.

Nothing in this act to prevent trade, with Indians living, &c.

Unmolested use of the road mentioned.

*See the treaty of 2d July, 1791, with the Cherokees, ante, chap. 4. No. 2, art. 5, page 117.

Travelling from Knoxville to Price's settlement, or the settlement on Obed's river, &c. provided.

SEC. 20. *And be it further enacted*, That the president of the United States be, and he is hereby authorized to cause to be clearly ascertained and distinctly marked, in all such places as he shall deem necessary, and in such manner as he shall

The president authorized to cause other Indian boundary lines to be marked.

direct, any other boundary lines between the United States and any Indian tribe, which now are, or hereafter may be, established by treaty.

The president may take measures to restrain the vending of spirituous liquors among the Indian tribes.

This act to be in force from its passage. The act mentioned, not to operate, as to proceedings under this act.

SEC. 21. *And be it further enacted*, That the president of the United States be authorized to take such measures, from time to time, as to him may appear expedient, to prevent or restrain the vending or distributing of spirituous liquors among all, or any of the said Indian tribes, any thing herein contained to the contrary thereof notwithstanding.

SEC. 22. *And be it further enacted*, That this act shall be in force from the passage thereof; and so far as respects the proceedings under this act, it is to be understood, that the act, entitled "An act to amend an act, entitled an act giving effect to the laws of the United States within the district of Tennessee,"* is not to operate.

Approved, March 30, 1802.

TH: JEFFERSON.

[*Note.*—The first act "to regulate trade and intercourse with the Indian tribes," was passed on 22d July, 1790, which was limited to two years. Its provisions were continued for limited periods by acts of 1st March, 1793—19th May, 1796—3d March, 1799, until they were supplied and continued by this act, without limitation. Two acts have been since passed, amending some of its provisions, for which, see post, chapters 48 and 59.]

CHAPTER XLV.

An act for the relief of certain Alabama and Wyandot Indians.

The president authorized to cause to be surveyed a tract of land, not exceeding 2,500 acres, in the territory of Orleans, &c. and vest the same by lease in a tribe of Alabama Indians for 50 years.

Proviso.

Proviso.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the president of the United States be, and he is hereby, authorized to cause to be surveyed and designated, by proper metes and bounds, a tract of land, not exceeding two thousand five hundred acres, out of any lands of the United States lying in the territory of Orleans, and west of the river Mississippi, and by lease, vest the said tract of land in a certain tribe of Alabama Indians and their descendants, for the term of fifty years: *Provided, nevertheless*, That it shall not be lawful for the said tribe of Indians to transfer or assign their interest in the said land, and every such transfer or assignment shall be null and void: *And provided also*, That if the said tribe of Indians shall remove from the said tract of land, their interest in and to the same, shall thenceforth cease and determine.

Two tracts of land to be designated in the Michigan ter-

SEC. 2. *And be it further enacted*, That there shall be designated, under the direction of the Secretary of the Treasury, two tracts of land in the Michigan territory, one including the vil-

* See the act referred to, Laws U. S. vol. 3, chap. 114, page 124.

lage called Brownstown, and the other, the village called Ma-ritory, includ-
guaga, in the possession of the Wyandot tribe of Indians, con- ing the villag-
taining, in the whole, not more than five thousand acres ; which es of Browns-
two tracts of land shall be reserved for the use of the said Wy- town and Ma-
andots and their descendants, and be secured to them in the guaga, &c. not
same manner, and on the same terms and conditions, as is pro- exceeding
vided in relation to the Alabama Indians, by the first section 5000 acres, to
of this act. be reserved
for the use of
the Wyandots.

Approved, February 28, 1809.

TH: JEFFERSON.

CHAPTER XLVI.

An act for granting and securing to Anthony Shane,* the right of the United States to a tract of land in the state of Ohio. *A half breed Indian.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in consideration of valuable and faithful services, rendered to the United States during the present war, by Anthony Shane, a half-breed Indian, there be granted to him all the right of the United States to a tract of land, to contain three hundred and twenty acres, lying on the river St. Mary's, at a place called Shane's crossing, within the limits of the state of Ohio, but in a part thereof to which the Indian title has not yet been extinguished ; the said tract to be located in a convenient form, and so as to comprehend the said Anthony Shane's improvements. Grant of land to Anthony Shane, a half breed.

SEC. 2. *And be it further enacted,* That as soon as the Indian title to the territory, comprehending the said tract, shall be extinguished, the said three hundred and twenty acres shall be surveyed under the authority of the United States, and a patent therefor shall be granted to the said Anthony Shane, or, if not then living, to his children and legal representatives, to hold the same to them and their heirs. To be surveyed as soon as the Indian title is extinguished.

Approved, February 24, 1815.

JAMES MADISON.

CHAPTER XLVII.

An act for the relief of Young King, a chief of the Seneca tribe of Indians.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the secretary for the department of war be, The secretary of war to cause \$200 per annum to be paid

to the Seneca chief, Young King, during his life, for meritorious services.

and he is hereby authorized and required, to cause to be paid to Young King, a chief of the Seneca tribe of Indians, quarterly, the sum of fifty dollars, amounting to the sum of two hundred dollars per annum, during the term of his natural life, as a compensation for the brave and meritorious services which he rendered the United States in the late war with Great Britain, and as a provision for the wound and disability which he received in the performance of those services.

Out of any money in the treasury.

SEC. 2. *And be it further enacted*, That the said sum be paid out of any money in the Treasury not otherwise appropriated.

Approved, April 26, 1816.

JAMES MADISON.

CHAPTER XLVIII.

An act supplementary to the act passed the thirtieth of March, one thousand eight hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.*

*Ante, chap. 44.

Licenses to trade to be given only to citizens.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That licenses to trade with the Indians, within the territorial limits of the United States, shall not be granted to any but citizens of the United States, unless by the express direction of the president of the United States, and upon such terms and conditions, as the public interest may, in his opinion, require.

Forfeiture of articles carried to the Indians contrary to this act.

SEC. 2. *And be it further enacted*, That all goods, wares, and merchandise, carried by a foreigner, into the lands to which the Indian title has not been extinguished, for the purpose of being used in the Indian trade; and all articles of peltry, of provisions, or of any other kind, purchased by foreigners from Indians, or tribes of Indians, contrary to the provisions of this act, shall be, and the same are hereby, forfeited; one half thereof to the use of the informer, and the remainder to the United States: *Provided*, That the goods, wares, and merchandise, are seized prior to their sale to an Indian or Indian tribe; and the articles purchased are seized before they are removed beyond the limits of the United States.

Foreigners going to Indian settlements within the territorial limits of the U. S. to have passports.

SEC. 3. *And be it further enacted*, That if a foreigner go into any country which is allotted or secured by treaty to either of the Indian tribes, within the territorial limits of the United States, or to which the Indian title has not been extinguished, without a passport first had and obtained from the governor of one of the states or territories of the United States, adjoining the country into which he may go, or the officer of the troops

of the United States, commanding at the nearest post on the frontiers, or such other person as the president of the United States may, from time to time, authorize to grant the same, he shall, on conviction thereof, pay a fine of not less than fifty, or more than one thousand dollars; or be imprisoned not less than one month, or more than twelve months, at the discretion of the court.

SEC. 4. *And be it further enacted,* That trials for offences against this act, shall be had in the courts of the United States, of the territory in which the person accused may be arrested; or in the circuit court of the United States, of the district into which he may be first carried after his arrest.

Where trials under this act are to take place.

SEC. 5. *And be it further enacted,* That each and every person charged with a violation of the second section of this act, shall, if arrested, be indicted and tried in one of the courts aforesaid, and that the conviction of the accused, shall authorize the court to cause the goods intended to be sold to, and articles purchased from, the Indians, belonging to him, or taken in his possession, to be sold, one half to the use of the informer, and the other to the use of the United States.

Goods of persons convicted of violations of the 2d section, to be sold.

But if goods intended to be sold, or articles purchased from, the Indians, contrary to the provisions of this act, should be seized, and the owner or person in possession of them, should make his escape, or from any other cause, cannot be brought to trial, it shall and may be lawful for the United States' attorney, of the territory in which they may be seized, or the district attorney of the United States of the district into which they may have been first carried, after they are seized, to proceed against the said goods, intended to be sold to, or articles purchased from, the Indians, in the manner directed to be observed in the case of goods, wares, or merchandise, brought into the United States in violation of the revenue laws.

Goods of persons violating this act, who may abscond, to be proceeded against as in the case of a violation of the revenue laws.

SEC. 6. *And be it further enacted,* That the president of the United States be, and he hereby is, authorized to use the military force of the United States, whenever it may be necessary, to carry into effect this act, as far as it relates to seizure of goods to be sold to, or articles already purchased from, the Indians; or to the arrest of persons charged with violating its provisions.

Military force of the U. S. may be used for enforcing this act.

Approved, April 29, 1816.

JAMES MADISON.

CHAPTER XLIX.

An act making provision for the location of the lands reserved by the first article of the treaty of ninth of August, one thousand eight hundred and fourteen, between the United States and the Creek nation, to certain chiefs and warriors of that nation, and for other purposes.

- SEC. 1.** *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the chiefs and warriors of the Creek nation who, by virtue of the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen,* between the United States and that nation of Indians, are entitled to a reservation of land, which shall include their improvements, shall be authorized to locate said reservation in the following manner, viz :
- Chiefs and warriors of the Creek nation authorized to locate their reservations of land.** Every such chief, or warrior, shall and may select such four quarter sections, or such number of quarter sections and fractional parts of sections, not exceeding six hundred and forty acres of land, as have been or may be surveyed, in pursuance of the act of congress, passed the third day of March, one thousand eight hundred and fifteen, and as shall include their respective improvements. And in case such chief, or warrior, shall have resided at one place, and cultivated a farm or plantation at another place, he may, at his option, select such quarter sections, and fractional parts of sections, as shall include his said separate improvements:—*Provided, however,* That the lands so selected, shall enure to such chief, or warrior, so long only as he shall continue to occupy and cultivate the same ; and, in case he shall not have abandoned the possession, shall, on his decease, descend to and vest in his heirs in fee simple, reserving to the widow of such chief or warrior the use and occupation of one-third part of said lands, during her natural life.
- Manner of location,**
- Proviso.**
- Widows and children to have the right of selection as the original claimant.**
- SEC. 2.** *And be it further enacted,* That when any chief or warrior, so entitled to a reservation of land at the time of the signing of the treaty, shall have since died, and left a widow and child or children, who has or have continued to occupy and cultivate the said land, they shall have the right of selection in the same manner as the original claimant would have, if he were living ; and the title of the lands, so selected, shall be a fee simple title in the child or children, reserving to the widow, if any, the use and occupation of one-third of the land during her life: *Provided, however,* That the said child or children shall not have the power to alienate the said lands, except by devise, until each and every one of them shall have arrived at the age of twenty-five years.
- Proviso.**
- Descendants of native**
- SEC. 3.** *And be it further enacted,* That the descendant of any native Creek Indian, male or female, who, at the com-

* See the treaty, ante, chap. 8, No. 5.

mencement of the late war with the hostile Creeks, occupied Creeks who and cultivated a farm or plantation ; who continued friendly continued friendly, en- to the United States during that war ; and who, after the termination of hostilities, returned to, and has continued to occupy and cultivate, the said farm or plantation, shall be entitled to a reservation of two quarter sections of land, to be selected in the manner stated in the first section of this act ; which lands shall enure to them so long as they shall continue to occupy and cultivate the same ; and, on their death, shall descend, in fee, to their children ; and on failure of children, shall revert to the United States ; reserving, however, to the husband or widow, as the case may be, the right to occupy and cultivate one-third part of the lands during their natural lives.

SEC. 4. *And be it further enacted*, That the child or child- The children of any Creek warrior who resided within the limits of the said ceded country, at the commencement of the late Creek war, and who was killed or died in the service of the United States, during said war, or who has since died of wounds received therein, shall be entitled, without payment, to a reservation of so much land as such chief or warrior would have been entitled to, had he been living at the time said treaty was signed ; which land shall be located in the manner prescribed by the first section of this act.

SEC. 5. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the agent of the United States for the Creek nation shall immediately proceed to take such evidence as each and every person, who may be entitled to lands under the provisions of it, shall be able to adduce in support of such title. The evidence shall, as far as practicable, be taken by the agent on the land occupied by such claimant ; and in all cases where he shall be of opinion that the claim is a valid one, the quarter sections, including the improvements, shall be designated as provided for in the first section of this act ; and the agent shall, without delay, return to the secretary of the treasury the evidence taken in each case, (reserving a copy thereof) together with the names of the claimants, and the numbers of the quarter sections reserved for them respectively. And the secretary of the treasury, with the approbation of the president, shall finally decide on the validity of such claim.

SEC. 6. *And be it further enacted*, That the agent shall transmit, without delay, to the register of the land office for the district in which the lands may be, a statement of the names of the claimants, and the numbers of the quarter sections which have been reserved for each claimant ; and the register of the land office shall not offer any such quarter section for sale, unless specially directed otherwise by the secretary of the treasury.

Three dollars
per day to the
agent in addi-
tion to salary.

SEC. 7. *And be it further enacted,* That the agent of the United States shall be allowed, in addition to his salary, the sum of three dollars per day, whilst occupied in performing the duties assigned to him by this act; and he shall be authorized to employ a surveyor, in those cases where it may be necessary, for the purpose of ascertaining the quarter sections of land to be allotted to each claimant.

The agent may
employ a sur-
veyor.

SEC. 8. *And be it further enacted,* That the expenses which shall be incurred in carrying into effect this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

Approved, March 3, 1817.

JAMES MADISON.

[*Note.*—The reservations referred to in this act, were, by an act of 20th February, 1819, authorized by Congress to be purchased, and an appropriation was made for that purpose; (see post, chap. 53;) and by the act passed 3d March, 1823, making further appropriations for the military service of the United States, for the year 1823, and for other purposes, a further appropriation of \$50,000, was made for the purchase of all the tracts of land, in the state of Georgia, reserved to Indians, in fee, by the treaties with the Creek Indians, of 9th August, 1814, and 8th January, 1821; and by the treaties with the Cherokee Indians, of 8th July, 1817, and 27th February, 1819. The purchase of the reservations in Georgia, under the latter provision, has been, in a great measure, if not entirely, effected. See the treaties referred to, with the Creek Indians, ante, chap. 8, Nos. 5, 7—and with the Cherokees, ante, chap. 4, Nos. 13, 14.]

CHAPTER L.

An act to provide for the punishment of crimes and offences committed within the Indian boundaries.

Indians or
other persons
committing
offences in In-
dian towns,
to be punish-
ed as if com-
mitted within
the sole juris-
diction of the
U. S.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any Indian, or other person or persons, shall, within the United States, and within any town, district, or territory, belonging to any nation or nations, tribe or tribes, of Indians, commit any crime, offence, or misdemeanor, which, if committed in any place or district of country under the sole and exclusive jurisdiction of the United States, would, by the laws of the United States, be punished with death, or any other punishment, every such offender, on being thereof convicted, shall suffer the like punishment as is provided by the laws of the United States for the like offences, if committed within any place or district of country under the sole and exclusive jurisdiction of the United States.

Superior, and
other courts
authorized to
try offences

SEC. 2. *And be it further enacted,* That the superior courts in each of the territorial districts, and the circuit courts and other courts of the United States, of similar jurisdiction

in criminal causes, in each district of the United States, in ^{against this act.} which any offender against this act shall be first apprehended or brought for trial, shall have, and are hereby invested with, full power and authority to hear, try, and punish, all crimes, offences, and misdemeanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences, and misdemeanors, had been committed within the bounds of their respective districts: *Provided*, That nothing in this act shall be so construed as to affect any treaty now in force between the United States and any Indian nation, or to extend to any offence committed by one Indian against another, within any Indian boundary.

SEC. 3. *And be it further enacted*, That the President of the United States, and the governor of each of the territorial districts, where any offender against this act shall be apprehended or brought for trial, shall have, and exercise, the same powers, for the punishment of offences against this act, as they can severally have and exercise by virtue of the fourteenth and fifteenth sections of an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed thirtieth March, one thousand eight hundred and two, for the punishment of offences therein described.*

Approved, March 3, 1817.

JAMES MADISON,

CHAPTER LI.

An act directing the manner of appointing Indian agents, and continuing the "Act for establishing trading houses with the Indian tribes."

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the superintendent of Indian trade, the agents and assistant agents of Indian trading houses, and the several agents of Indian affairs, shall be nominated by the President of the United States, and appointed by and with the advice and consent of the Senate.

Superintendent of Indian trade, agents, &c. to be appointed by president and senate.

SEC. 2. *And be it further enacted*, That, from and after the eighteenth instant, no person shall act in either of the characters aforesaid, who shall not have been thus first nominated and appointed. And every agent as aforesaid, before he shall enter upon the duties of his office, shall give bond to the United States, with two or more sufficient securities, in the penal sum of ten thousand dollars, conditioned faithfully to perform

After the 18th April, 1818, no person to act without the consent of the senate.

Agents to give bonds in \$10,000.

* See this act, referred to ante, chap. 44.

all the duties which are or may be enjoined on them as agents as aforesaid.

SEC. 3, *Continues the "act for establishing trading houses with the Indian tribes," until the 1st March, 1819, which was afterwards further continued until the system of Indian trade was abolished by the act of May 6, 1822.**

Approved, April 16, 1818.

JAMES MONROE.

CHAPTER LII.

An act fixing the compensation of Indian agents and factors.

Indian agents and factors to receive the salaries specified.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the passage of this act, Indian agents and factors shall receive the following salaries per annum, in lieu of their present compensation, to wit:

Creek.	The agent to the Creek nation, one thousand eight hundred dollars.
Choctaw.	The agent to the Choctaws, one thousand eight hundred dollars.
Cherokee, on Tennessee river.	The agent to the Cherokees on Tennessee river, one thousand three hundred dollars.
Cherokee, on Arkansas river.	The agent to the Cherokees on the Arkansas river, one thousand five hundred dollars.
Chickasaw.	The agent to the Chickasaws, one thousand three hundred dollars.
In Illinois.	The agent in the Illinois territory, one thousand three hundred dollars.†
At prairie du Chien.	The agent at Prairie du Chien, one thousand two hundred dollars.
At Natchitoches.	The agent at Natchitoches, one thousand two hundred dollars.
At Chicago.	The agent at Chicago, one thousand three hundred dollars.
At Green Bay.	The agent at Green Bay, one thousand five hundred dollars.
At Mackinac.	The agent at Mackinac, one thousand four hundred dollars.
At Vincennes.	The agent at Vincennes, one thousand two hundred dollars.‡
At fort Wayne &c.	The agent at fort Wayne and Piqua, one thousand two hundred dollars.

* See this act, post, chap. 58.

† Transferred, under the authority of the act of March 3, 1819, (which see, post, chap. 57) to Delawares, Shawanees, Kickapoos, &c. west of the Mississippi.

‡ Transferred, under the same authority, to the Sault of St. Mary.

|| This agency is located at Piqua.

The agent to the Lakes, one thousand three hundred dollars.* To the Lakes. The agent in the Missouri territory, one thousand two hundred dollars. In Missouri.

And all sub-agents, five hundred dollars per annum.† Sub-agents.

SEC. 2. *And be it further enacted,* That all factors shall receive one thousand three hundred dollars, and assistant factors seven hundred dollars per annum.‡ Factors and assistant factors.

SEC. 3. *And be it further enacted,* That the sums hereby allowed to Indian agents and factors shall be in full compensation for their services; and that all rations, or other allowances, made to them, shall be deducted from the sums hereby allowed. The sums allowed to be in full, &c. Rations, &c. to be deducted.

Approved, April 20, 1818.

JAMES MONROE.

[*Note.* Besides the Indian agents authorized to be appointed by this act, there is one at Fort Wayne, appointed under an act of March 3, 1819, (see post, chap. 56) with a salary of \$ 1,200 per annum; one at Council Bluffs, on the Missouri, appointed under the act of March 3, 1819, (see post, chap. 57) with a salary of \$ 1,800 per annum; one for the Florida Indians, appointed under an act of May 6, 1822, (see post, chap. 59, sec. 6) with a salary of \$ 1,500 per annum; one for the Osage Indians, appointed under an act of May 18, 1824, (see post, chap. 61) with a salary of \$ 1,500 per annum; one for the Choctaws west of the Mississippi, appointed under the 9th article of the Choctaw treaty of January 20, 1825, (see ante, chap. 5, No. 8) with a salary of \$ 1,500 per annum; and one for the emigrating party from the Creek nation of Indians to the west of the Mississippi, appointed under the 8th article of the Creek treaty of January 24, 1826, (see ante, chap. 42) with a salary of \$ 1,600 per annum.—There is also a superintendent of Indian affairs at St. Louis, appointed under an act of May 6, 1822,) see post, chap. 59, sec. 6,) with a salary of \$ 1,500 per annum.]

CHAPTER LIII.

An act authorizing the President of the United States to purchase the lands reserved by the act of the third of March, eighteen hundred and seventeen, to certain chiefs, warriors, or other Indians of the Creek nation.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall be lawful for the President of the The president may purchase any tract of land reserved,

* Transferred, under the same authority as above, to the Falls of St. Anthony, Upper Mississippi.

† Besides this general provision for sub-agents, there are two specially authorized, and appointed, under an act of 25th May, 1824, (see post, chap. 62) for the Indian tribes on the waters of the Upper Missouri, with a salary of \$ 800 each, per annum.

‡ The offices of factor and assistant factor, being connected with "The United States' Trading Establishment with the Indian tribes," ceased after the passage of the act of May 6, 1822, to abolish that establishment; which see, post, chap. 58.

by act of 3d
March, 1817,
to the Creeks.
* Ante, chap.
49.

United States to purchase for, and on behalf of the United States, any tract or tracts of land, reserved by the act of the third day of March, eighteen hundred and seventeen,* to the chiefs, warriors, or other Indians, of the Creek nation, which they, or either of them, may be disposed to sell; and the amount of such purchase shall be paid out of any money in the treasury not otherwise appropriated.

Lands acquired
by virtue
of this act to
be offered for
sale upon such
days as the
President may
designate.

SEC. 2. *And be it further enacted*, That any tract or tracts of land, the title to which may be acquired by the United States, by virtue of this act, shall be offered at public sale, at the land offices of the district in which they may be situated, upon such day or days as the President shall, by proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as are provided by law for the sale of public lands of the United States; and patents shall be granted therefor, as for other public lands and town lots sold by the United States.

Approved, February 20, 1819.

JAMES MONROE.

CHAPTER LIV.

An act supplementary to the act, entitled "An act to provide for the prompt settlement of public accounts.†

The 2d auditor
to receive
unsettled ac-
counts of In-
dian affairs,
except, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the third day of March next, it shall be the duty of the second auditor of the treasury, to receive all unsettled accounts arising out of Indian affairs, with the exception of those appertaining to Indian trade, and examine the same, and thereafter certify the balance, and transmit the accounts, with the vouchers and certificates, to the second comptroller, for his decision thereon: *Provided*, That if, in the opinion of the President of the United States, the public interest and convenience would be promoted by assigning all, or any part of, the said accounts to the third auditor, he shall be, and hereby is, authorized to make such assignment accordingly.

Proviso.

Duty of the
auditor char-
ged with the
examination
of the ac-
counts.

SEC. 2. *And be it further enacted*, That it shall be the duty of the auditor charged with the examination of the accounts, as aforesaid, to keep all accounts of the receipts and expenditures of the public money in regard to them; to receive

† This act relates particularly to the settlement of the accounts of superintendents and agents for Indian affairs. The act to which it is supplementary, passed at the 2d session 14th Congress, on the 3d March, 1817, and relates to the settlement of public accounts generally.

from the second comptroller the accounts which shall have been finally adjusted, and to preserve such accounts, with the vouchers and certificates. And it shall be the duty of the said auditor to make such reports on the business hereby assigned to him, as the Secretary of War may deem necessary, and require, from time to time, for the service of the War Department.

SEC. 3. *And be it further enacted*, That the Treasurer of the United States shall disburse all such moneys as shall have been previously ordered for the use of the Indian Department, with the exception of those relating to Indian trade before-mentioned, by warrants from the Treasury; which disbursements shall be made pursuant to warrants drawn by the Secretary of War, and countersigned by the second comptroller, and registered by the second and third Auditor, as the case may be.

The treasurer to disburse moneys for Indian department by warrants from the treasury, except, &c. Warrants to be drawn by the secretary of war, &c.

SEC. 4. *And be it further enacted*, That so much of the act to which this is a supplement, as is inconsistent with this act, be, and the same is hereby repealed.

So much of the act of 3d March, 1817, as is inconsistent with this, repealed.

Approved, February 24, 1819.

JAMES MONROE.

CHAPTER LV.

An act making provision for the civilization of the Indian tribes adjoining the frontier settlements.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for the purpose of providing against the further decline and final extinction of the Indian tribes, adjoining to the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby, authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced with their own consent, to employ capable persons, of good moral character, to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic, and for performing such other duties as may be enjoined, according to such instructions and rules as the President may give and prescribe for the regulation of their conduct, in the discharge of their duties.

The president authorized to employ capable persons to instruct Indians adjoining frontier settlements, where practicable, in agriculture, and to teach Indian children, &c.

SEC. 2. *And be it further enacted*, That the annual sum of ten thousand dollars be, and the same is hereby, appro-

Annual appropriation.

* See regulations under this act, in appendix, No. 5.

Account of
expenditure,
&c. to be laid
before Con-
gress.

priated for the purpose of carrying into effect the provisions of this act; and an account of the expenditure of the money, and proceedings in execution of the foregoing provisions, shall be laid annually before Congress.

Approved, March 3, 1819.

JAMES MONROE

CHAPTER LVI.

An act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned.

The 1st, 2d, 3d, 4th, 5th, 6th, and 7th sections make the necessary appropriations to carry into effect the several Indian treaties specified.

An agent to
be appointed,
to reside
among the
Wyandots &c.
An agent
among the
Shawanees.
\$1200 per
annum for
each agent.

SEC. 8. *And be it further enacted,* That there be appointed, agreeably to the ninth article of the treaty concluded with the Wyandot, Seneca, Delaware, Shawanee, Pattawattima, Ottawa, and Chippewa tribes of Indians, on the twenty-ninth day of September, one thousand eight hundred and seventeen,* an agent to reside among or near the Wyandots, who shall also execute the duties of agent for the Senecas, and the Delawares on the Sandusky river; and an agent to reside among or near the Shawanees; who shall each receive twelve hundred dollars per annum, as a full compensation for their services.

Approved, March 3, 1819.

JAMES MONROE.

CHAPTER LVII.

An act to continue in force, for a further term, the act, entitled "An act for establishing trading houses with the Indian tribes,"† and for other purposes.

SEC. 1. *Continues the act referred to in the title, until the 1st of March, 1820.*

The president
may transfer
Indian agents:

SEC. 2. *And be it further enacted,* That the president of the United States shall have power, and he is hereby authorized, in every case where he shall judge it expedient, to transfer any of the Indian agents, whose compensation was fixed by the act, entitled "an act fixing the compensation of Indian agents and factors,"‡ from the places designated by the said act, for the discharge of their duties, respectively, to such other places as the public service may require; and shall also have

And with con-
sent of the se-

* See the treaty, ante, chap. 3, No. 17.

† Abolished, by act of 6th May, 1822. (See post, chap. 58.)

‡ See ante, chap. 52.

power to appoint, by and with the consent and advice of the senate, an Indian agent for the Upper Missouri, whose annual compensation shall be one thousand eight hundred dollars.

Approved, March 3, 1819.

JAMES MONROE.

mate, appoint an Indian agent for Upper Missouri, with a salary of \$1800.

CHAPTER LVIII.

An act to abolish the United States' trading establishment with the Indian tribes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the president of the United States shall be, and hereby is, authorized and required to cause the business of the United States' trading houses among Indian tribes to be closed, and the accounts of the superintendent of Indian trade, and of the factors and sub-factors, to be settled; and, for that purpose, the president is hereby authorized to select, from among the Indian agents, or others, a competent number of fit and suitable persons, to be and appear at the office of Indian trade in Georgetown, in the District of Columbia, and at each of the trading houses established among Indian tribes, on or before the third day of June next, or as soon thereafter as can conveniently be done, to demand and receive of and from the superintendent of Indian trade, and of the respective factors and sub-factors, all the goods, wares, merchandise, furs, peltries, evidences of debt, and property and effects of every kind, which may be in their power or possession, by virtue of their respective offices, and justly due and belonging to the United States; and the said agents, selected for the purpose aforesaid, shall be furnished with the copies of the latest quarterly returns of the said superintendent, factors, and sub-factors, as rendered by them to the treasury department, and copies of any other papers in the said department which will shew what is, or ought to be, due and coming to the United States, from the said office of Indian trade in Georgetown, and from each of the trading houses established among Indians. And the persons so selected shall enter into bond, with good and sufficient security, in such sums as may be required by the president of the United States, for the faithful discharge of the duties enjoined on them by the provisions of this act. And, from and after the third day of June next, the act of the second of March, one thousand eight hundred and eleven, entitled "An act for establishing trading houses with Indian tribes,"* shall be continued in force for the purposes only of enforcing all bonds, 4

The president authorized and required to cause the Indian trading houses to be closed, and the accounts to be settled.

The president to select a competent number of suitable agents to receive the goods, furs, peltries, evidences of debt, &c.

Agents to be furnished with documents from the Treasury Department, to enable them to ascertain what is due and coming to the U. States.

The agents to enter into bond with security, for the faithful discharge of their duties.

After 3d June, 1822, the act of 2d March, 1811, to con-

time in force only for enforcing of bonds, contracts, &c.

debts, contracts, demands, and rights, which may have arisen, and all penalties and punishments which may have been, or may be, incurred under the provisions of the said act, and for the settlement of the accounts of the superintendent, factors, and sub-factors, at the Treasury Department.

The goods delivered over to the agents, placed at the disposition of the president, subject, under his orders, to satisfying the treaty obligations of the U. States with the Indian tribes.

The surplus, if any, to be sold to the best advantage.

Furs, &c. to be sold as the president may direct: debts to be collected under his orders, &c.

Proviso.

The president to communicate, at the next session of Congress, the manner in which the act has been executed; the moneys, furs, and goods, received.

SEC. 2. *And be it further enacted*, That the goods, wares, and merchandise, which shall be delivered over to the agents of the United States, under the provisions of this act, shall be placed at the disposition of the president of the United States, subject, under his orders, towards satisfying or extinguishing the treaty obligations on the part of the United States, to keep up trading houses with the Indians; also, towards the payment of annuities due, or to become due, to Indian tribes; also, in making the customary presents to tribes or individuals in amity with the United States; and the surplus, if any, may be sold to the best advantage, under the orders of the president, and the proceeds paid over to the treasury of the United States.

SEC. 3. *And be it further enacted*, That the furs, peltries, effects, and property, received under the first section of this act, shall be sold in the manner the president may direct; the debts due and owing shall be collected under his orders; and all the money received from these sources, and all that shall be received from the superintendent of Indian trade, and from the factors, and sub-factors, shall be paid over, as fast as received, into the treasury of the United States: *Provided*, That such sums may be retained and applied, under the orders of the president of the United States, as may be necessary to defray the expenses of carrying this act into effect.

SEC. 4. *And be it further enacted*, That, as soon as may be after the commencement of the next session of Congress, the president of the United States shall communicate to Congress the manner in which he shall have caused this act to be executed, shewing the amount of moneys, furs, peltries, and other effects, and the amount and description of goods, wares, and merchandise, and the actual cash value thereof, received from the superintendent of Indian trade, and each of the factors and sub-factors, under the provisions of this act.

Approved, May 6, 1822.

JAMES MONROE.

[*Note*.—The original act establishing the system of Indian trade abolished by this act, was passed for a limited period, April 18, 1796, and was revived and continued in force, from time to time, with some modifications, by acts of April 30, 1802—February 28, 1803—March 3, 1805—April 21, 1806—March 3, 1809—March 2, 1811—March 3, 1815, which last act continued it until March 4, 1817; after which the system of Indian trade established and continued, under the several acts referred to, was annually continued by special acts passed for the purpose, until it was finally abolished by the foregoing act of May 6, 1822.]

CHAPTER LIX. •

An act to amend an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved March thirtieth, one thousand eight hundred and two. *Act amended, ante, chap. 44.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the seventh section of the act, entitled "An act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers,"† shall be, and the same is hereby, repealed; and from and after the passing of this act, it shall be lawful for the superintendents of Indian affairs in the territories, and Indian agents, under the direction of the president of the United States, to grant licenses to trade with Indian tribes; which licenses shall be granted to citizens of the United States, and to none others, taking from them bonds with securities, in the penal sum not exceeding five thousand dollars, proportioned to the capital employed, and conditioned for the due observance of the laws regulating trade and intercourse with the Indian tribes; and said licenses may be granted for a term not exceeding seven years for the trade with the remote tribes of Indians beyond the Mississippi, and two years for the trade with all the other tribes. And the superintendents and agents shall return to the Secretary of War, within each year, an abstract of all licenses granted, shewing by and to whom, when, and where, granted, with the amount of the bonds and capital employed, to be laid before Congress, at the next session thereof. The 7th section of the act of 30th March, 1802, repealed. Superintendents and agents may grant licenses. Licenses to be granted only to citizens, who are to give bond with securities. Licenses for 7 years for trade with remote tribes, and 2 with others. Superintendents and agents to return abstract of licenses to be laid before Congress.

SEC. 2. *And be it further enacted,* That it shall and may be lawful for the president of the United States, in execution of the power vested in him by the twenty-first section of the act of thirtieth of March, one thousand eight hundred and two, aforesaid, to which this is an amendment, to direct Indian agents, governors of territories acting as superintendents of Indian affairs, and military officers, to cause the stores and packages of goods of all traders to be searched, upon suspicion or information that ardent spirits are carried into the Indian countries by said traders in violation of the said twenty-first section of the act to which this is an amendment; and if any ardent spirits shall be so found, all the goods of the said traders shall be forfeited, one half to the use of the informer, the other half to the use of the government, his license cancelled, and bond put in suit. The president may direct Indian agents to cause the stores and packages of goods of traders to be searched for ardent spirits. If ardent spirits are found, the goods are forfeited; half to the informer, &c.

SEC. 3. *And be it further enacted,* That all purchases for and on account of Indians, for annuities, presents, and otherwise, shall be made by the Indian agents and governors of ter- All purchases of annuities for Indians, to be made by

† See ante, chap. 44.

agents and governors of territories acting, &c.

Persons trusted with the disbursement of money, goods, &c. to settle their accounts annually.

Copies of the accounts to be laid before Congress, with a list, &c.

In trials about the right of property, where Indians are a party, the burthen of proof to rest upon the white person.

The president may require additional security, for the disbursement of money.

The president may appoint a superintendent at St. Louis, at 1500 dolls. per ann.

And an agent in E. and W. Florida, at 1500 dollars.

territories acting as superintendents, within their respective districts; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects, of any kind, for the benefit of Indians, shall settle their accounts annually, at the War Department, on the first day of September; and copies of the same shall be laid before Congress at the commencement of the ensuing session, by the proper accounting officer,* together with the list of the names of all persons to whom money, goods, or effects, had been delivered within the said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and shewing who are delinquent, if any, in forwarding their accounts according to the provisions of this act.

SEC. 4. *And be it further enacted,* That, in all trials about the right of property, in which Indians shall be party on one side and white persons on the other, the burthen of proof shall rest upon the white person, in every case in which the Indian shall make out a presumption of title in himself from the fact of previous possession and ownership.

SEC. 5. *And be it further enacted,* That it shall and may be lawful for the president of the United States, from time to time, to require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects, of any kind, for the benefit of the Indians.

SEC. 2. *And be it further enacted,* That the president of the United States, by and with the advice and consent of the Senate, may appoint a superintendent of Indian affairs;† to reside at St. Louis, whose powers shall extend to all Indians frequenting that place, whose salary shall be fifteen hundred dollars per annum; and one agent for the tribes within the limits of East and West Florida, with a salary of fifteen hundred dollars.

Approved, May 6, 1822.

JAMES MONROE.

CHAPTER LX.

An act concerning the Disbursement of Public Money.‡

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress*

* Second Auditor of the Treasury. See chap. 54.

† The superintendent of Indian affairs is, by act of 26th May, 1824, vested with the powers of governors of territories, (who are, ex officio, superintendents of Indian affairs,) and subjected to the same duties as are required of them in that capacity. (See post. chap. 62, Sec. 5.)

‡ This act is applicable to Indian agents, as well as to other officers of the government; and is therefore inserted.

assembled, That, from and after the passing of this act, no advance of public money shall be made in any case whatever; but in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment: *Provided*, That it shall be lawful, under the special direction of the president of the United States, to make such advances to the disbursing officers of the government, as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfilment of the public engagements: *And provided, also*, That the president of the United States may direct such advances, as he may deem necessary and proper, to such persons in the military and naval service as may be employed on distant stations, where the discharge of the pay and emoluments to which they may be entitled, cannot be regularly effected.

No advance of public money to be made.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That every officer or agent of the United States, who shall receive public money which he is not authorized to retain, as salary, pay, or emolument, shall render his accounts quarter-yearly to the proper accounting officers of the Treasury, with the vouchers necessary to the correct and prompt settlement thereof, within three months, at least, after the expiration of each successive quarter, if resident within the United States; and within six months if resident in a foreign country: *Provided*, That nothing herein contained shall be construed to restrain the secretaries of any of the Departments from requiring such returns from any officer or agent, subject to the control of such secretaries, as the public interest may require.

Officers or agents of the U. S. to account quarterly.

Proviso.

SEC. 3. *And be it further enacted*, That every officer or agent of the United States, who shall offend against the provisions of the preceding sections, shall, by the officer charged with the direction of the department to which such offending officer is responsible, be promptly reported to the president of the United States, and dismissed from the public service: *Provided*, That in all cases, where any officer, in default as aforesaid, shall account to the satisfaction of the president for such default, he may be continued in office, any thing in the foregoing provision to the contrary notwithstanding.

Officers or agents offending against the preceding sections, to be promptly reported to the president, and dismissed from the public service.

SEC. 4. *And be it further enacted*, That no security given to, or obligation entered into with, the government, shall be in any wise impaired, by the dismissing any officer, or from failure of the president to dismiss any officer coming under the provisions of this act.

No security given to, or obligation entered into with, the government to be impaired.

Approved, January 31, 1823.

JAMES MONROE.

CHAPTER LXI.

An act providing for the appointment of an agent for the Osage Indians, west of the state of Missouri, and territory of Arkansas, and for other purposes.

An agent to be appointed to the Osage Indians.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to appoint an agent for the Osage Indians, west of the state of Missouri and territory of Arkansas; who shall receive for his compensation the sum of fifteen hundred dollars, in full, and that all rations or other allowances made to him, shall be deducted from the sum hereby allowed.

Indian agents to keep their agencies in or near the tribe or tribe for which they are, respectively, the agents.

SEC. 2. *And be it further enacted,* That it shall be the duty of each Indian agent, to reside and keep his agency within, or near the territory, claimed by the tribe or tribes of Indians for which he may be agent, at such place as the President of the United States may designate.

Approved, May 18, 1824.

JAMES MONROE.

CHAPTER LXII.

An act to enable the President to hold treaties with certain Indian tribes, and for other purposes.

Object for which the appropriation was made, and commissioners appointed.

Two sub-agents to be employed.

SEC. 1, *Appropriates \$10,000 for making treaties of trade and friendship with the Indian tribes beyond the Mississippi.*

SEC. 2, *Authorizes the appointment of commissioners to hold said treaties.*

SEC. 3. *And be it further enacted,* That the President shall be, and hereby is, authorized to appoint two sub-agents to be employed among the Indian tribes, on the waters of the Upper Missouri, whose annual salary shall be eight hundred dollars each, to be paid out of any money in the treasury not otherwise appropriated.

Indian agents to designate convenient places for carrying on trade.

SEC. 4. *And be it further enacted,* That it shall be the duty of Indian agents to designate, from time to time, certain convenient and suitable places for carrying on trade with the different Indian tribes, and to require all traders to trade at the places thus designated, and at no other place or places.

The power vested in the superintendent of Indian

SEC. 5. *And be it further enacted,* That the superintendent of Indian affairs at St. Louis, and his successors in office, shall possess all the powers, and be subject to all the duties of

governors of territories,* when exercising the office of super-intendents of Indian affairs, and shall exercise a general supervision of the official conduct and accounts of Indian agents, within his superintendency.

SEC. 6, *Appropriates \$ 10,000 for a military escort, to attend the commissioners to be appointed under the 2d section of this act.*

Approved, May 25, 1824.

JAMES MONROE.

CHAPTER LXIII.

An act providing for the disposition of three several tracts of lands in Tuscarawas county, in the state of Ohio, and for other purposes.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the three several tracts of land, lying in the county of Tuscarawas, in the state of Ohio, lately retroceded to the United States by the society of United Brethren, for propagating the gospel among the heathen, shall be surveyed and laid off into such lots, having regard to the existing surveys and improvements thereon, as will best conduce to the sale thereof: *Provided,* That the lots and tracts which the United States are bound to convey to the said society, shall be laid off according to the contract for retrocession: *And provided also,* That a suitable number of in-lots and out-lots, in the town of Gnadenhutten, shall be laid off for said town, embracing the improved part thereof, and the fields adjoining, now occupied by the inhabitants, which shall be platted and

Three tracts of land in the county of Tuscarawas, Ohio, to be surveyed and laid off into lots.

Proviso.

Proviso.

* The governors of territories, are made by the laws of the United States, relating to territories, ex-officio superintendents of Indian affairs; under the authority of which, they exercise over the Indian agents, and every thing relating to Indian affairs, within their respective territories, a superintending control.

† The lands to which this act relates, were purchased under the following provision of the act of Congress of 3d March, 1823, "Making further appropriations for the military service of the United States, for the year 1823, and for other purposes." "To enable the President of the United States to take such measures as may be necessary, to purchase the right, title, and interest, which certain Indians have in three several tracts of land of four hundred acres each, lying in the county of Tuscarawas, in the state of Ohio, which were granted by Congress, in seventeen hundred and ninety-six, to the society of the United Brethren, in trust, for the sole benefit of said Indians, the purchase to be made with the consent of said society, one thousand dollars." Governor Cass was appointed to make the purchase, which he effected according to the intention of Congress, by entering into the agreement referred to in the latter part of the 7th section of this act, which agreement, with the papers connected therewith, is filed in the General Land Office, and to carry into effect which, this act was passed.

numbered, and a copy recorded in said county, according to the laws of Ohio.

An agent to be appointed, to reside near said land—duty of said agent.

SEC. 2. *And be it further enacted,* That the secretary of the treasury shall be, and is hereby, authorized to appoint an agent, who shall reside near the said land, whose duty it shall be to superintend and direct the survey of said land and lots: to receive and pay over to the treasury the rents due, and to become due, on said lands; to take possession of such parts of said lands as may be forfeited by the tenants, by reason of non-performance of the covenants in their leases, to ascertain the actual cash value of each of the lots and town lots, with the improvements thereon, and, also, the value of each, subject to the conditions of the lease outstanding on it, by the aid of two disinterested appraisers, to be selected by the Secretary of the Treasury, to ascertain the award to be made to Isaac Simmers, Jesse Walton, Barzillai Walton, Jesse Hill, and Boaz Walton, according to their leases; to receive a surrender of such of the leases outstanding on such lands, as the holders thereof may be disposed to make, who have, or shall first comply with the conditions of their leases, up to the time of the surrender; to superintend the sale of said lands and lots, and to transfer to the purchasers who shall buy any of said land or lots, subject to the leases thereon, the lease of the lot or land so bought; and to do whatever else may be necessary to effect a speedy and advantageous disposition of said lands and lots.

A right of pre-emption to be allowed John Andreas, and others.

Proviso.

SEC. 3. *And be it further enacted,* That a right of pre-emption shall be allowed to John Andreas, John Neigamen, Jacob Winsh, and Catharine Tshudy, at the real cash value of the lots occupied by them, according to the stipulations of the said agreement for retrocession, and to any of the lessees, for any lot embracing their lease; and also, to the said society of United Brethren, for any of the remaining lots, or town lots, to an amount not exceeding the amount stipulated to be paid to them by the United States: *Provided,* That any of the persons entitled to pre-emption, who shall be desirous to avail themselves of such right, shall give notice to the said agent of such their intention, before the cash value of the lots is ascertained; and, in the case of the lessees, shall, at or before the time of giving such notice, pay all arrears of rent, and surrender their leases; and shall, immediately after the said cash value is ascertained, be entitled to a patent for the lot or land to which they are entitled, as aforesaid, on paying the amount of such cash value; or, in the case of the society, on their executing and delivering to said agent a discharge to the United States, for so much as said lot or land, whereto a pre-emption is claimed, shall amount to, on account of any sum to become due them by reason of the stipulations in said retro-

cession; and no right to such pre-emption shall be considered as extending beyond the time of commencing the sale of said lands, as hereinafter directed.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury may cause to be designated and allowed for public use, the usual ground for streets and alleys in said town, for public ground, and for schools; and may, moreover, cause to be designated and set apart, one lot in each of said tracts, not exceeding one thirty-sixth part of each, the title whereof shall be vested in the legislature of the state of Ohio, and held in trust for the use of schools, in the same manner as other lands granted by the United States for the use of schools, are held in that state.

The usual ground for streets and alleys in said town, to be allowed for public use.

SEC. 5. *And be it further enacted,* That immediately after the said surveys shall be completed, the cash value ascertained, and the school lands designated, the said agent shall give notice, by advertisement in one newspaper in Washington City, and one in Steubenville, one in Zanesville, and one in New-Philadelphia, Ohio, of the time, not less than sixty days from the first publication, when he will offer the said lands and lots for sale, at public vendue, at the court-house in New-Philadelphia, aforesaid; and shall, at such time and place, proceed to offer for sale, to the highest bidder, any of said lands or lots, remaining undisposed of, in the manner hereinbefore provided for; and none of said lots, or land, shall be put up at a less sum than the actual cash value ascertained as aforesaid; and in case any of said lessees shall have failed, or refused to surrender their leases, the sale shall be made subject to those leases; and each purchaser who may purchase at such sale, shall immediately pay to the said agent the amount of his purchase, and take his receipt for the amount, specifying the lot or land purchased; upon which the purchaser shall be entitled to a patent as other purchasers of public lands are: but in case any purchaser shall fail to make his payment as aforesaid, at or before the close of the sale, he shall be considered as having forfeited his purchase, and the land struck off to him shall be again offered for sale, in the same manner as if it had never been struck off; and the said agent, immediately after the close of such sale, shall pay over the money received at such sale, and for rent, to the United States, and report all his proceedings to the general land office; and the President shall be, and he is hereby, authorized, whenever the boundaries of the several lots stipulated to be conveyed to the said society shall be ascertained, to issue patents therefor to said society.

After the surveys are made, &c. the agent shall give notice through certain newspapers.

SEC. 6. *And be it further enacted,* That the agent herein provided for, shall take an oath of office, and give bond and security, in such sum and form as the secretary of the treasury may direct, and be allowed and paid for his services a salary at

Said agent to take an oath and give security.

To receive
\$600 annually.
Provido:

the rate of six hundred dollars per annum: *Provided*, That said office shall not continue longer than is necessary to perform the duties herein required, and not longer than one year; and said salary, together with the incidental expenses attending the said survey and sale, shall be charged to the fund to be raised by the sale of said lots and land. The said appraisers shall be allowed the sum of two dollars for each day actually employed in the appraisement aforesaid, and neither the said agent nor appraisers shall be at liberty to purchase any of the said lands or lots.

Any land or
lots remaining
unsold at public
auction,
shall be subject
to entry
and sale, at
the land office
in Zanesville.
Duty of the
accounting officers
of the
treasury.

SEC. 7. *And be it further enacted*, That, if any such land or lots remain unsold at public auction, as aforesaid, the same shall be subject to entry and sale at the land office in Zanesville, in Ohio, at the actual cash price, ascertained as aforesaid, in the same manner that other lands of the United States are authorized to be entered; and it shall be the duty of the accounting officers of the treasury department to keep a separate account of the proceeds of the lots and lands aforesaid, and of all moneys received and disbursed on account thereof; and, after the expenses of survey and sale of said lots and land shall be re-imbursed, it shall be the duty of the secretary of the treasury to pay to the said society the sums stipulated to be paid them, and for which they shall not have taken lands and lots as hereinbefore provided for; to pay to the said Simners, Hill, and Waltons, the sums awarded to them; and then to credit the residue of the proceeds of said lots and lands, as they shall be received, to the fund for raising the annuity for the Christian Indians, so called, in the manner stipulated in the agreement entered into with them on the eighth of November, one thousand eight hundred and twenty-three.

Annuity for
Christian Indians.

Course to be
pursued by
the president
in case the
Christian Indians
wish to
remove from
their residence
on the
river Thames.

SEC. 8. *And be it further enacted*, That, whenever the said Christian Indians shall notify the President of the United States that they wish to remove from their present residence on the river Thames, into the territory of the United States, it shall be lawful for the President to designate a reservation of not less than twenty-four thousand acres of land, to be held by the said Indians in the usual manner of Indian reservations, so long as they shall live thereon; and from the time said Indians shall remove on to said reservation, the said annuity shall cease.

Approved, May 26, 1824.

JAMES MONROE.

CHAPTER LXIV.

An act reserving to the Wyandot tribe of Indians a certain tract of land, in lieu of a reservation made to them by treaty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is reserved, for the use of the chiefs and tribe of Wyandot Indians, subject to the conditions and limitations of the former reservation, the northeast quarter of section numbered two, in township two, and range seventeen, south of the base line of land, in the Delaware land district, in the state of Ohio, in lieu of one hundred and sixty acres of land, on the west side of, and adjoining, the Sandusky river; and which was reserved to said tribe of Indians, by a supplementary treaty between the United States and certain tribes of Indians, held at St. Mary's, in the state of Ohio, on the seventeenth day of September, eighteen hundred and eighteen;* on condition that the chiefs of said Wyandot tribe first relinquish to the United States all the right, title, and claim, of said tribe, to the one hundred and sixty acres of land reserved by said supplementary treaty.

The north quarter section numbered 2, in township 2, and range 17, in the Delaware land district, Ohio, reserved for the use of the Wyandot Indians.

*See the treaty, ante, chap. 3, No. 17.

Approved, May 26, 1824.

JAMES MONROE.

CHAPTER LXV.

An act to authorize the president of the United States to cause a road to be marked out from the western frontier of Missouri, to the confines of New Mexico.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the president of the United States be, and he hereby is, authorized to appoint commissioners to mark out a road from the western frontier of the state of Missouri, to the boundary line of the United States, in the direction to Santa Fe, of New Mexico: *Provided,* That the said commissioners shall first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of the said road, and to the unmolested use thereof to the citizens of the United States, and of the Mexican Republic.

The president of the U. S. to appoint commissioners to mark a road from the western frontier of Missouri to the confines of New Mexico. *Proviso.*

SEC. 2. *And be it further enacted,* That the president of the United States be, and he hereby is, authorized to cause the marking of the said road to be continued from the boundary line of the United States to the frontier of New Mexico, under such regulations as may be agreed upon for that purpose be-

Continuation of said road.

† Also authorizes treaties to be held with Indians.

tween the executive of the United States, and the Mexican government.

\$10,000 appropriated to defray the expenses of said road; and \$20,000 to treat with the Indians.

SEC. 3. *And be it further enacted*, That the sum of ten thousand dollars be, and the same hereby is, appropriated, to defray the expenses of marking the said road; and the further sum of twenty thousand dollars, to defray the expenses of treating with the Indians, for their consent to the establishment and use thereof; the said sums to be paid out of any money in the treasury not otherwise appropriated.

Approved, March 3, 1825.

JAMES MONROE.

[*Note.* The commissioners appointed under this act, to mark the road, and to hold treaties with the Indians for their consent, to the establishment and use thereof, are progressing with their duties, and the objects of the act, at course, not yet accomplished.]

CHAPTER LXVI.

*See the act to which this is a supplement, ante, chap. 53, page 405.

An act supplementary to "an act providing for the disposition of three several tracts of land in Tuscarawas county, in the state of Ohio, and for other purposes," passed the twenty-sixth day of May, one thousand eight hundred and twenty-four.

Secretary of the treasury to adopt measures to carry into effect the act referred to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the secretary of the treasury be, and he is hereby, authorized to adopt such measures as, in his judgment, the interests of the United States, and the parties concerned, may require, for the purpose of carrying into full and complete effect the provisions of the act to which this is a supplement, and the intentions of Congress, as expressed in said act.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXVII.

An act to enable the president to hold treaties with certain Indian tribes

\$15,000 appropriated to hold treaties with the Miamies, Pottawattamies, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifteen thousand dollars, to be paid out of any money in the treasury, not otherwise appropriated, shall be, and the same hereby is, appropriated, to defray the expense of holding treaties with the Miami and Pottawattami tribes of Indians, and any other tribes claiming lands, in the state of Indiana.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXVIII.

An act to enable the president of the United States to hold a treaty with the Choctaw and Chickasaw nations of Indians.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated to defray the expenses of treating with the Choctaw and Chickasaw nations of Indians for the purpose of extinguishing their titles to lands within the limits of the state of Mississippi. The said sum to be paid out of any money in the treasury not otherwise appropriated. \$20,000 appropriated to hold treaties with Choctaws and Chickasaws.

SEC. 2. *And be it further enacted*, That, for the purpose of negotiating said treaty on the part of the United States, the president shall be, and he hereby, is authorized to appoint commissioners after the adjournment of the present session of congress, or at an earlier period, if practicable, and to fix their compensation, so as not to exceed what has been heretofore allowed for like services. President to appoint commissioners.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXIX.

An act making appropriations to defray the expense of negotiating and carrying into effect certain Indian treaties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated out of any money in the treasury not otherwise appropriated, for the objects hereinafter mentioned, that is to say: Appropriations to carry into effect sundry Indian treaties.

To carry into effect sundry stipulations of treaties with the Cherokees, Creeks, Socks, and Foxes, Ioways, Quapaws, and Choctaws, namely:

For payment of the annuity provided for by the second article of the Cherokee treaty, of twenty-fourth of October, eighteen hundred and four, annually, forever, one thousand dollars. Annuity to Cherokees. See art. of treaty referred to, ante, page 127.

For payment of the fifth and last instalment, due in the present year, on the claims of the citizens of Georgia, against the Creek nation, under the fourth article* of the treaty with said nation, of the eighth January, eighteen hundred and twenty-one, twenty-three thousand dollars. Claims of citizens of Georgia against Creek nation. *See ante, p. 214.

For the annuity of the Sock and Fox Indians, provided for Annuity of Socks.

*See ante,
page 242.

by the third article* of the treaty with them of fourth August, eighteen hundred and twenty-four, annually, for nine years, one thousand dollars.

Annuity of
the Ioways.
*Ante, p. 233.

For the annuity of the Ioways, provided for by the second article* of the treaty with them, of fourth August, eighteen hundred and twenty-four, annually, for nine years, five hundred dollars.

Blacksmiths,
&c. for Socks,
Foxes, and
Ioways.

For the expense, annually, of supporting blacksmiths, furnishing farming utensils and cattle, and employing persons to aid the Socks and Foxes and Ioways, in agriculture, as provided for by the fourth and fifth articles† of the aforesaid treaties with them, three thousand dollars.

†Ante, pages
242 and 233.

Annuity to
Quapaws.
‡Ante, p. 303.

For the annuity of the Quapaws, provided for by the second article‡ of the treaty with them, of fifteenth November, eighteen hundred and twenty-four, annually, for ten years, one thousand dollars.

Annuities to
Choctaws.
§Ante, p. 172.

For the annuities provided for by the second and third articles|| of the treaty of twentieth January, eighteen hundred and twenty-five, with the Choctaw nation, (six thousand dollars annually, for fifteen years, and six thousand dollars, annually, forever,) and by the tenth article§ of said treaty, of one hundred and fifty dollars, for Robert Cole, a Choctaw Chief, during life, twelve thousand one hundred and fifty dollars.

§Ante, p. 174.

Annuity to the
Chickasaws
under the se-
veral treaties
with them,
due for the
year 1821.

For the payment of the annuity due to the Chickasaw nation, for the year eighteen hundred and twenty-one, under the several treaties with them, which has remained unpaid in consequence of the delinquency of the late agent, Robert C. Nicholas, and against whom suit has been instituted for the recovery of the amount, thirty-five thousand one hundred dollars.

Osage and
Kansas trea-
ties. Ante,
pp. 253 & 290.

To carry into effect the treaties with the Osages, of the second, and with the Kansas, of the third June, eighteen hundred and twenty-five, namely:—

Surveying
land reserved
by said treaties

For surveying the lands reserved to said Indians by said treaties, ten thousand dollars.

Annuities to
Osages and
Kansas.
¶Ante, pages
254 & 291.

For the payment of the annuities to the Osage and Kansas Indians, as provided for by the third article¶ of said treaties, of seven hundred dollars in lieu of all former annuities, to the former, and three thousand five hundred dollars to the latter, annually, for twenty years, ten thousand five hundred dollars.

Cattle, hogs,
&c. for said
Indians.

For the purchase of cattle, hogs, and other domestic animals, and articles, as stipulated for by the fourth articles** of said treaties, including the expense of transportation and delivery of the same, fourteen thousand seven hundred and fifty dollars.

**Ante, page
254, & 291.

Houses for
chiefs.
††Ante, page
254.

For the expense of building four houses for Osage chiefs, as stipulated for by the said fourth article†† of the treaty with them, and one for the principal Kansas chief, (as estimated for by General Clark,) ten thousand dollars.

For carrying into effect the provisions of the aforesaid trea-

ties, relative to agents, blacksmiths, agriculturists, and other persons to be employed for the benefit of said Indians, including the expense of erecting the necessary buildings for the accommodation of such persons, for tools, and all other expenses connected with said provisions, fourteen thousand one hundred and fifty dollars.

For payment of the debts due by the Kansas Indians to Francis G. Chouteau, and by the Osages to Augustus P. Chouteau, Paul Baillio, and William S. Williams, as provided for by the eighth and thirteenth articles* of said treaties, two thousand dollars.

Debts due by said Indians.

*Ante, pages 257 & 292.

For payment of claims of citizens for depredations committed by the Kansas and Osage Indians, as provided for by the seventh and ninth articles† of the aforesaid treaties, eight thousand dollars.

Claims of citizens against Indians.

†Ante, pages 256 & 292.

For expense incurred under the ninth article‡ of the treaty with the Kansas, and eighth and twelfth articles§ of the treaty with the Osages, and all other expenses attending the negotiation of said treaties, eighteen thousand three hundred and six dollars and seventy cents.

Expense of treaties with said Indians.

‡Ante, pages 256, 257, 292.

To carry into effect the treaty with the Shawanees, of seventh November, eighteen hundred and twenty-five, namely :

For surveying the lands granted to the Shawanees, by the second article§ of said treaty, one thousand two hundred and fifty dollars.

Shawanee treaty. Ante, ch. 40, p. 360.

Surveying lands granted to Shawanees. §Ante, p. 361.

For the payment of the sum stipulated for, and, by same article of said treaty, for the improvements abandoned by the Indians, on the lands ceded by them, and the inconveniences of removal, fourteen thousand dollars.

Improvements left by Shawanees, and inconveniences of removal.

For payment of the claims of the Shawanees against citizens of the United States, as provided for in the fourth article¶ of said treaty, eleven thousand dollars.

Claims of Shawanees against citizens. ¶Ante, p. 362.

For carrying into effect the provision of the said fourth article,** relative to a blacksmith, including the expense of tools, iron, and the erection of the necessary buildings for the blacksmith's quarters and shop, two thousand five hundred and fifty dollars.

Blacksmith, iron, tools, &c. **Ante, page 362.

For expenses incurred in the negotiation of said treaty, one thousand six hundred dollars.

Expense of negotiating with Shawanees.

To carry into effect a stipulation contained in the treaty concluded at Prairie du Chien, nineteenth August last, with certain tribes of Indians, for holding two general councils with the Indians, on Lake Superior and Green Bay, (as per accompanying copy of a detailed estimate for these, and the other objects which follow, furnished by Governor Cass,) twenty-seven thousand dollars.

Stipulation of treaty of Prairie du Chien, (Ante, chap. 41, page 363,) for holding general councils with Indians.

For carrying into effect the stipulation of the fifth article†† of the treaty with the Miamies, of sixth October, eighteen hun-

††Ante, p. 315

Gun-smith for Miamies. dred and eighteen, providing for a gun-smith, the annual sum of six hundred dollars.

Salt for Miamies.

To carry into effect the provision of the same article of said treaty, for the delivery of one hundred and sixty bushels of salt, annually, to the Miamies, the annual sum of three hundred and twenty dollars.

*Ante, p. 58.

To carry into effect the provisions of the third article* of the treaty with the Delawares, Shawanees, Pottawatimies, Miamies, Kickapoos, Eel Rivers, Weas, Piankeshaws, and Kaskaskias, of seventh June, eighteen hundred and three, for the delivery of one hundred and fifty bushels of salt, annually, to said Indians, the annual sum of three hundred dollars.

Salt for Delawares, Shawanees, &c.

Arrearages of salt due said Indians.

Annuity to christian Indians.

For arrearages of salt due to the Indians, under the provisions of the treaty aforesaid, six hundred and forty dollars.

For the payment of the annuity secured to the christian Indians, so called, in consideration of the relinquishment of their title to three sections of land, in Tuscarawas county, Ohio, by the agreements entered into with Governor Cass, for that purpose, filed in the General Land Office, and by the act of congress of twenty-sixth of May, eighteen hundred and twenty-four,† (seventh section,) the annual sum of four hundred dollars.

†Ante, pages 405 & 408.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXX.

An act to aid certain Indians of the Creek nation, in their removal to the west of the Mississippi.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States will give to each warrior of the nation of Creek Indians, who shall, at any time within two years, remove to the west of the Mississippi, according to article six, in the treaty made and concluded at Washington City, on the 24th day of January, one thousand eight hundred and twenty-six, between the United States and the Creek Indians, one rifle gun and ammunition, a butcher knife, one blanket, one brass kettle, and one beaver trap; and shall further aid them with provisions on the way, and with transportation across the Mississippi river, and other streams; and furnish them with provisions for their support for one year after their arrival in the country which may be set apart for them, to the westward of the territory of Arkansas or state of Missouri; and the United States will pay to all such emigrants, the actual value of all the improvements left by them, and which are

Warriors of the Creek nation who shall remove west Mississippi, under 6th art. treaty of 24th Jan. 1826, (See art. referred to, ante, page 372,) to be provided with sundry articles, and with provisions for one year.

Value of improvements left by emi-

of a nature to add to the real value of the land, which is to be ascertained by a commissioner appointed by the president of the United States for that purpose, and paid for as soon as practicable after the passage of this act, not exceeding twenty thousand dollars.

SEC. 2. *And be it further enacted*, That the agent to be appointed to accompany and reside with the aforesaid emigrating Creeks, according to article eight of the treaty last above-mentioned, shall receive an annual salary of fifteen hundred dollars.

SEC. 3. *And be it further enacted*, That there shall be delivered to the said agent, in each and every year, a fair and full proportion of all the annuities heretofore stipulated to be paid to the Creek Indians, according to the number of emigrants who may remove; and to enable the government to divide the annuities fairly, the agents shall make annual returns of the whole number of such emigrants; and the amount to be paid, under the ninth article* of the treaty aforesaid, may be extended to any number of emigrants over and above three thousand persons.

SEC. 4. *And be it further enacted*, That, for the purpose of making known the beneficial objects of the government, and for carrying into effect the objects of this act, the agent to be appointed to reside with the emigrating Creeks, shall have full liberty, for the space of two years, to go among the Indians of the Creek nation, and explain to them the policy of the government, and to give to such individuals, families, and parties, as may determine, from time to time, all the aids which are contemplated by this act; and shall designate a proper place at which the emigrants may cross the Mississippi river; and shall establish depots of provisions at one or more places, under the care of suitable persons, to support them on their march.

SEC. 5. *And be it further enacted*, That the sum of sixty thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, shall be, and the same is hereby, appropriated, to defray the expense of carrying this act into effect.

Approved, May 20, 1826.

JOHN Q. ADAMS.

CHAPTER LXXI.

An act making appropriations to carry into effect the treaty concluded between the United States and the Creek nation, ratified the twenty-second of April, eighteen hundred and twenty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled

grants to be ascertained by a commissioner, and paid for by U. S.

Agent to be appointed under 8th art. of the treaty (see the art. ante, page 373.)

Annuities to be divided in fair proportion.

*See 9th art. page 273.

Agent for the emigrating Creeks, to go into the Creek nation for two years, to make explanations.

Places for crossing the Mississippi to be designated, and depots of provisions to be established.

\$60,000 appropriated for the objects of this act.

Treaty of 24th Jan. 1826. Ante, chap. 42, page 371.

\$170,000 of former appropriation to be applied to this object, and the additional sum of \$17,600 appropriated.

bled, That the following sums be, and the same are hereby, appropriated, out of any money not otherwise appropriated, to carry into effect the treaty concluded between the United States and the Creek nation, on the twenty-fourth of January, eighteen hundred and twenty-six, and ratified on the twenty-second of April, eighteen hundred and twenty-six, that is to say : For the payment of the sum to the chiefs and warriors of the Creek nation, stipulated in the third article of the said treaty, in addition to an unexpended balance of one hundred and seventy thousand dollars, appropriated by the act of the third of March, eighteen hundred and twenty-five, and which is hereby directed to be used for the purpose of this act, forty-seven thousand six hundred dollars, both of which sums shall be paid to the chiefs of the Creek nation; to be divided among the chiefs and warriors of said nation, and that the same be done under the direction of the secretary of war, in a full council of the nation convened upon notice for that purpose.

\$20,000 for annuity.

For the payment of the permanent annuity to the Creek nation, provided for by the fourth article of the said treaty, the sum of twenty thousand dollars.

\$100,000 to the friends &c. of Gen. McIntosh.

For the payment of the sum to the friends and followers of General M^cIntosh, stipulated for in the ninth article of the said treaty, one hundred thousand dollars.

\$30,000 to the Creek nation.

For the payment of the sum to the Creek nation, stipulated for by the supplemental article to the said treaty, thirty thousand dollars.

\$120,000 for the faithful execution of all other provisions.

For carrying into effect the stipulations of the sixth, seventh, eighth, tenth, eleventh, and sixteenth articles, and to defray all other expenses attending the faithful execution of the provisions of said treaty, one hundred and twenty thousand dollars.

Approved, May 22, 1826.

JOHN Q. ADAMS.

CHAPTER LXXII.

An act for the relief of the Florida Indians.

\$20,000 appropriated for their relief.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury, not otherwise appropriated, to be expended under the directions of the president, in affording sustenance to the suffering Florida Indians.

Approved, May 22, 1826.

JOHN Q. ADAMS.

[The two treaties with the Osage and Kansas Indians, which follow, were received and ratified after the printing of this work had progressed too far, to give them their proper places in the chapters to which they properly belong, or even immediately following the treaties.]

CHAPTER LXXIII.

SUPPLEMENTARY TO CHAPTER XII.*

Treaty with the Great and Little Osage nations of Indians.

No. 6. Whereas the congress of the United States of America, being anxious to promote a direct commercial and friendly intercourse between the citizens of the United States and those of the Mexican Republic, and, to afford protection to the same, did, at their last session, pass an act, which was approved the 3d of March, 1825, "to authorize the president of the United States to cause a road to be marked out from the western frontier of Missouri to the confines of New-Mexico," and which authorizes the president of the United States to appoint commissioners to carry said act of congress into effect, and enjoins on the commissioners, so to be appointed, that they first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of said road, and to the unmolested use thereof to the citizens of the United States and of the Mexican Republic; and Benjamin H. Reeves, Geo. C. Sibley, and Thomas Mather, commissioners duly appointed as aforesaid, being duly and fully authorized, have this day met the chiefs and head men of the Great and Little Osage nations, who being all duly authorized to meet and negotiate with the said commissioners upon the premises, and being specially met for that purpose, by the invitation of said commissioners, at the place called the Council Grove, on the river Nec-o-zho, one hundred and sixty miles south-west from Fort Osage; have, after due deliberation and consultation, agreed to the following treaty; which is to be considered binding on the said Great and Little Osages, from and after this day:

Art. 1. The chiefs and head men of the Great and Little Osages, for themselves and their nations, respectively, do consent and agree that the commissioners of the United States shall, and may survey and mark out a road, in such manner as they may think proper, through any of the country owned or claimed by the said Great and Little Osage nations. Osages agree to a road through their country.

Art. 2. The chiefs and head men, as aforesaid, do further agree that the road authorized in article 1, shall, when marked, be forever free for the use of the citizens of the United States and of the Mexican Republic, who shall at all times pass and repass thereon, without any hindrance or molestation on the part of the said Great and Little Osages. The road to be free.

Art. 3. The chiefs and head men aforesaid, in consideration of the friendly relations existing between them and the United States, do agree to give friendly aid to citizens.

* Making No. 6 of this chapter, which see, ante, page 243.

ed States, do further promise, for themselves and their people, that they will, on all fit occasions, render such friendly aid and assistance as may be in their power, to any of the citizens of the United States, or of the Mexican Republic, as they may at any time happen to meet or fall in with on the road aforesaid.

Subsistence,
and camping
places.

Art. 4. The chiefs and head men as aforesaid, do further consent and agree that the road aforesaid shall be considered as extending to a reasonable distance on either side, so that travellers thereon may, at any time, leave the marked track, for the purpose of finding subsistence and proper camping places.

Consideration.

Art. 5. In consideration of the privileges granted by the chiefs of the Great and Little Osages in the three preceding articles, the said commissioners on the part of the United States, have agreed to pay to them, the said chiefs, for themselves and their people, the sum of five hundred dollars; which sum is to be paid them, as soon as may be, in money or merchandise, at their option, at such place as they may desire.

Goods delivered at signing the treaty.

Art. 6. And the said chiefs and head men, as aforesaid, acknowledge to have received from the commissioners aforesaid, at and before the signing of this treaty, articles of merchandise to the value of three hundred dollars; which sum of three hundred dollars, and the payment stipulated to be made to the said Osages in article 5, shall be considered, and are so considered by said chiefs, as full and complete compensation for every privilege herein granted by said chiefs.

In testimony whereof, the said Benjamin H. Reeves, George C. Sibley, and Thomas Mather, commissioners as aforesaid, and the chiefs and head men of the Great and Little Osage tribes of Indians, have hereunto set their hands and seals, at Council Grove, this tenth day of August, in the year of our Lord one thousand eight hundred and twenty-five, in the presence of—

B. H. Reeves,
G. C. Sibley,
Thomas Mather,
Pa-hu-sha, (White-Hair,) head chief of the Great Osages, his x mark,
Ca-he-ga-wa-tonega, (Foolish Chief,) head chief of the Little Osages, his x mark,
Shin-ga-wassa, (Handsome Bird,) chief of the Great Osages, his x mark,
Ta-ha-mo-nee, (Swift Walker,) chief Little Osages, his x mark,
Ca-he-ga-wash-im-pee-she, (Bad Chief,) chief Great Osages, his x mark,
Wee-ho-je-ne-fare, (Without Ears,) chief Little Osages, his x mark,
Ca-he-ga-shinga, (Little Chief,) chief Great Osages, his x mark,
Waw-bur-cou, Warrior Little Osages, his x mark,
Maw-sho-hun-ga, Warrior Great Osages, his x mark.

Waw-lo-gah, (Owl,) Warrior Little Osages, his x mark,
 Maw-she-to-mo-nee, Warrior Great Osages, his x mark,
 Che-he-kaw, Warrior Little Osages, his x mark,
 Ne-ha-wa-she-tun-ga, Warrior Great Osages, his x mark,
 Ho no-possee, Warrior Little Osages, his x mark,
 Waw-kun-chee, Warrior Little Osages, his x mark,
 Paw-ne-no-pushre, Warrior Little Osages, his x mark.

Archibald Gamble, *secretary*,
 Jos. C. Brown, *surveyor*,
 W. S. Williams, *interpreter*,
 Stephen Cooper,
 Samuel Givens,
 Richard Brannin,
 Garrison Patrick,
 Daniel J. Bahan,
 I. R. Walker,
 Singleton Vaughn,
 Benjamin Jones,
 Bradford Barbie,
 Hendley Cooper,
 John M. Walker,
 Joseph Davis,
 George West,
 Thomas Adams,
 James Brotherton.

CHAPTER LXXIV.

SUPPLEMENTARY TO CHAPTER XXI.*

Treaty with the Kanzas.

No. 3. Whereas the congress of the United States of America being anxious to promote a direct commercial and friendly intercourse between the citizens of the United States and those of the Mexican Republic, and, to afford protection to the same, did, at their last session, pass an act, which was approved the third of March, 1825, "to authorize the president of the United States to cause a road to be marked out from the western frontier of Missouri to the confines of New Mexico," and which authorizes the president of the United States to appoint commissioners to carry said act of congress into effect, and enjoins on the commissioners, so to be appointed, that they first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of said road, and to the unmolested use thereof to the citizens of the United States and of the Mexican Republic, and Benjamin H. Reeves, Geo. C. Sibley, and Thomas Mather, being duly appointed commissioners as aforesaid, and being duly and fully authorized, have this day met the chiefs and head men of the Kanzas tribe of Indians, who being all duly authorized to meet and negotiate with the said commissioners upon the premises, and being specially met for that purpose, by the invitation of said commissioners, on the Sora Kanzas creek, two hundred and thirty miles southwestwardly from Fort Osage; have, after due deliberation and consultation, agreed to the following treaty, which is to be considered binding on the said Kanzas Indians, from and after this day:

Art. 1. The chiefs and head men of the Kanzas nation or tribe of Indians, for themselves and their nation, do consent to a road

* Making No. 3 of this chapter, which see, ante, page 289.

through their lands. and agree that the commissioners of the United States shall, and may survey and mark out a road, in such manner as they may think proper, through any of the territory owned or claimed by the said Kansas tribe or nation of Indians.

The road to be free. *Art. 2.* The chiefs and head men, as aforesaid, do further agree that the road authorized in article 1, shall, when marked, be forever free for the use of the citizens of the United States and of the Mexican Republic, who shall at all times pass and repass thereon, without any hindrance or molestation on the part of the said Kansas Indians.

Friendly aid to be rendered to citizens. *Art. 3.* The chiefs and head men as aforesaid, in consideration of the friendly relations existing between them and the United States, do further promise, for themselves and their people, that they will, on all fit occasions, render such friendly aid and assistance as may be in their power, to any of the citizens of the United States, or of the Mexican Republic, as they may at any time happen to meet or fall in with on the road aforesaid.

Subsistence, and camping places. *Art. 4.* The chiefs and head men, as aforesaid, do further consent and agree that the road aforesaid shall be considered as extending to a reasonable distance on either side, so that travelers thereon may, at any time, leave the marked track, for the purpose of finding subsistence and proper camping places.

Consideration. *Art. 5.* In consideration of the privileges granted by the chiefs of the Kansas tribe in the three preceding articles, the said commissioners on the part of the United States, have agreed to pay to them, the said chiefs, for themselves and their people, the sum of five hundred dollars; which sum is to be paid them as soon as may be, in money or merchandise, at their option, at such place as they may desire.

Goods distributed at signing the treaty. *Art. 6.* And the said chiefs and head men, as aforesaid, acknowledge to have received from the commissioners aforesaid, at and before the signing of this treaty, articles of merchandise to the value of three hundred dollars; which sum of three hundred dollars, and the payment stipulated to be made to the said Kansas in article 5, shall be considered, and are so considered by said chiefs, as full and complete compensation for every privilege herein granted by said chiefs.

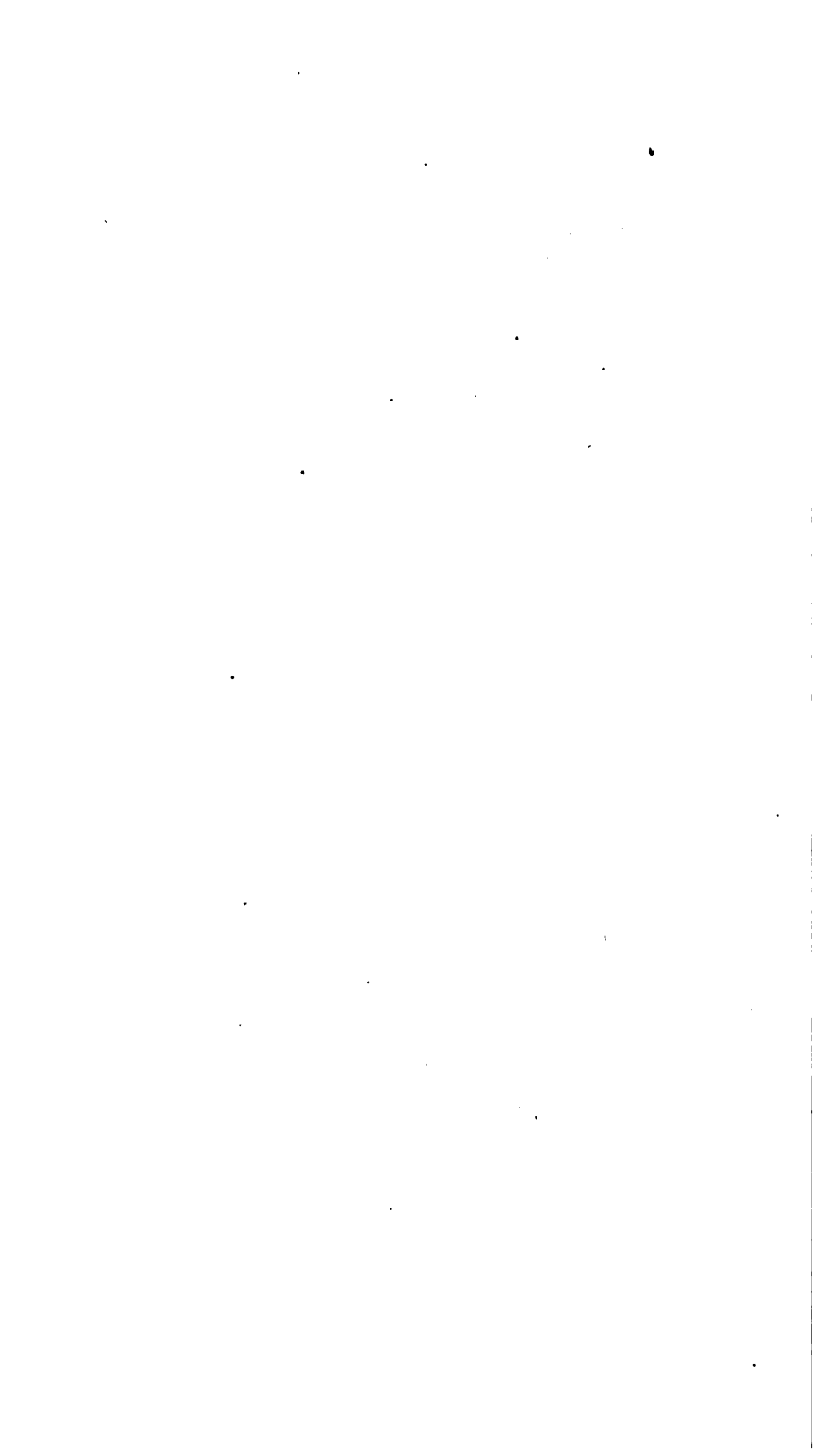
In testimony whereof, the said Benjamin H. Reeves, George C. Sibley, and Thomas Mather, commissioners as aforesaid, and the chiefs and head men of the Kansas tribe or nation of Indians, have hereunto set their hands and seals, on the Sora Kansas creek aforesaid, this sixteenth day of August, in the year of our Lord one thousand eight hundred and twenty-five.

B. H. Reeves,
G. C. Sibley,
Thomas Mather,

Shone-gee-ne-gare, the great chief of the Kansas nation, his x mark,
 Ke-hea-bash-ee, eldest son of the great chief, a warrior and leader, his x mark,
 Hu-ra-soo-gee, the Red Eagle, a chief and warrior, his x mark,
 Opa-she-ga, the Unready, a warrior, his x mark,
 Nun-gee-saggy, the Hard Heart, a warrior and counsellor, his x mark,
 Nee-a-ke-shall, a chief, brother of the great chief, his x mark,
 Ee-be-seen-gee, a warrior, his x mark,
 Wa-rig-ni-ne-gare, a warrior, his x mark,
 Hah-ee-see-she, White Plume's deputy, warrior, his x mark,
 Nee-ha-wash-in-tun-ga, the Passionate, warrior, his x mark,
 Has-aka-mo-nee, White Horns that Walk, warrior, his x mark,
 To-ka-mee-ra, the Scalper, warrior, his x mark,
 Mee-ra-ta-mo-nee, the Midway Walker, warrior, his x mark,
 Mo-nee-ra-ta, He who walks off, chief, his x mark,
 Mo-she-ha-mo-nee, the Ridge Walker, warrior, his x mark,
 Saw-nee-wah-ree, the Striker of Three, warrior, his x mark.

In presence of

Archibald Gamble, *secretary*,
 Jos. G. Brown, *surveyor*,
 W. S. Williams, *interpreter*,
 Stephen Cooper,
 Daniel T. Bahan,
 Benjamin Robertson,
 David Murphy,
 Singleton Vaughn,
 John M. Walker,
 Andrew Broadbica,
 Benjamin Jones,
 Hendley Cooper,
 James Wells,
 Joseph R. Walker,
 Samuel Givens,
 James Brotherton,
 Harvy Clark.



APPENDIX.

DOCUMENTS RELATING TO INDIAN AFFAIRS.

No. 1. Commencement and progress of Indian affairs.

A petition from the committee representing the people in that part of Augusta county, in the colony of Virginia, on the west side of the Allegany mountain, was laid before the congress and read, intimating "fears of a rupture with the Indians on account of lord Dunmore's conduct," and desiring "commissioners, from the colony of Virginia and province of Pennsylvania, to attend a meeting of the Indians at Pittsburg, on behalf of these colonies." In congress,
June 1, 1775.

Ordered, That the above be referred to the delegates of the colonies of Virginia and Pennsylvania.

A number of letters and speeches, from the Stockbridge Indians, were laid before the congress and read. In congress,
June 30, 1775.

Resolved, That the committee for Indian affairs do prepare proper talks to the several tribes of Indians, for engaging the continuance of their friendship to us, and neutrality in our present unhappy dispute with Great-Britain.

The congress resumed the consideration of the report of the committee on Indian affairs, and the same being gone through, was agreed to, as follows: In congress,
July 12, 1775.

That the securing and preserving the friendship of the Indian nations appears to be a subject of the utmost moment to these colonies.

That there is too much reason to apprehend that administration will spare no pains to excite the several nations of Indians to take up arms against these colonies; and that it becomes us to be very active and vigilant in exerting every prudent means to strengthen and confirm the friendly disposition, towards these colonies, which has long prevailed among the northern tribes, and which has been lately manifested by some of those to the southward.

As the Indians depend on the colonists for arms, ammunition, and clothing, which are become necessary to their subsistence, that commissioners be appointed by this congress to superintend Indian affairs in behalf of those colonies.

That there be three departments of Indians, the northern, middle, and southern. The northern to extend so far south as to include the whole of the Indians known by the name of the

Indian affairs. Six Nations, and all the Indians northward of those nations. The southern department, to extend so far north as to include the Cherokees, and all the Indians that may be to the southward of them. The middle, to contain the Indian nations that lie between the other two departments.

That five commissioners be appointed for the southern department.

That for each of the other two departments, there be appointed three commissioners.

That the commissioners have power to treat with the Indians, in their respective departments, in the name and on behalf of the united colonies, in order to preserve peace and friendship with the said Indians, and to prevent their taking any part in the present commotions.

That the commissioners for the southern department receive, from the continental treasury, the sum of ten thousand dollars: the commissioners for the middle and northern department, the sum of six thousand six hundred and sixty-six and two-thirds. for each of their respective departments, for defraying the expense of treaties and presents to the Indians.

That the commissioners, respectively, have power to take to their assistance gentlemen of influence among the Indians in whom they can confide, and to appoint agents, residing near or among the Indians, to watch the conduct of the superintendents, and their emissaries.

That in case the commissioners for the respective districts, or any one of them in either district, shall have satisfactory proof, that the king's superintendents, their deputies or agents, or any other person whatsoever, are active in stirring up or inciting the Indians, or any of them, to become inimical to the American colonies, such commissioner or commissioners ought to cause such superintendents, or other offender, to be seized and kept in safe custody, until order shall be taken therein by a majority of the commissioners of the districts where such seizure is made, or by the continental congress, or a committee of said congress, to whom such seizure, with the causes of it, shall, as soon as possible after, be made known.

That the commissioners shall exhibit fair accounts, of the expenditure of all moneys by them respectively to be received for the purposes aforesaid, to every succeeding continental congress, or committee of congress, together with a general state of Indian affairs in their several departments; in order that the colonies may be informed, from time to time, of every such matter as may concern them to know and avail themselves of, for the benefit of the common cause.

That as there is a seminary for the instruction of Indian youth, which has been established under the care of doctor Wheelock, on Connecticut river; and as there are nine or ten

Indian youths at that school, chiefly from the tribes residing in Indian affairs. Quebec ; and as, for want of a proper fund, there is danger that these youths may be sent back to their friends, which will probably excite jealousy and distrust, and be attended with bad consequences, the commissioners for Indian affairs in the northern department be authorized to receive, out of the continental treasury, a sum not exceeding five hundred dollars, to be applied by them for the support of said Indian youths.

Ordered, That a talk be prepared for the Indian nations, so as to suit the Indians in the several departments. In congress,
July 13, 1775.

The commissioners for Indian affairs, in the northern department, transmitted to the congress the minutes of a treaty, held with the Six Nations, at Albany, in August; and the same were read. In congress,
Sept. 14, 1775.

The congress resumed the consideration of the report of the committee, on Mr. Douw's letter, and the Albany treaty ; and after debate, the first paragraph was postponed, and the remainder agreed to, as follows: In congress,
Nov. 23, 1775.

The committee to whom it was referred to take into consideration the letter from Volckert P. Douw, esq. and the minutes of the treaty held with the Indians at Albany, by the commissioners for Indian affairs, in the northern department, have examined the same, and come to the following resolutions thereupon :

That it is the opinion of this committee, that the Indians be assured that this congress are pleased with their desire that the trade should be opened, as formerly, at Albany and Schenectady ; that the congress will exert their strenuous endeavors to procure the goods the Indians may want, and put the trade under such wise regulations, as that mutual justice may be effected, and that they hope those endeavors will be successful.

That general Schuyler be desired to furnish the commissioners at Albany with some powder, if he can spare it, to be distributed among the Indians, who, in the present circumstances, are much distressed by the want of that article.

That the commissioners for transacting Indian affairs in the northern department, be desired to obtain from the Mohawk Indians, and the corporation of Albany, a state of the controversy between them, concerning the land desired by the former, in the late treaty at Albany, to be restored to them, and report the matter, as it shall appear to them, to the congress.

That the said commissioners be desired, at the expense of the united colonies, to provide for and entertain the sachems and warriors of the Six Nations, and other Indians friendly to these colonies, their attendants and messengers, with the accustomed hospitality, when they come to Albany or Schenectady, to treat, or give intelligence of public affairs, or upon a visit, and for this purpose, that seven hundred and fifty dollars

Indian affairs. be lodged in the hands of the said commissioners, subject to account.

That the said commissioners be directed to employ two blacksmiths, for reasonable salaries, to reside among and work for the Indians of the Six Nations.

That the said commissioners be empowered to employ an interpreter, with a salary of two hundred and twenty-two and one-fifth dollars by the year, commencing the twelfth day of this month, who shall also be allowed his travelling expenses, to be settled by the commissioners; and James Deane, if they judge him well qualified, is recommended to execute this office.

That twenty-three dollars be paid to James Deane, over and above the seventy-five dollars advanced him by the commissioners, for his past services.

Resolved, That three members be added to the committee on the Albany treaty, and that they be directed to consider of a plan for carrying on a trade with the Indians, and to devise ways and means for procuring goods proper for that trade.

In congress,
Jan. 27, 1776.

The committee to whom the treaty held with the Indians at Albany, and the letter from V. P. Douw, esquire, were referred, brought in their report: whereupon,

Resolved, That in order to preserve the confidence and friendship of the Indians, and to prevent their suffering for want of the necessaries of life, a suitable assortment of Indian goods, to the amount of forty thousand pounds sterling, be imported on account and risk of the united colonies:

That the said goods, when imported, be divided among the different departments, in the following proportions, viz: for the northern department, comprehending Canada, thirteen thousand three hundred and thirty-three pounds six shillings and eight pence sterling; for the middle department, the like value; and the residue for the southern department:

That in order to pay for the said goods, a quantity of produce of these colonies be exported to some foreign European market, where it will sell to the best advantage:

That the secret committee be empowered to contract with proper persons for importing said goods, and for exporting produce to pay for the same:

That the said goods, when imported, be delivered to the commissioners of Indian affairs, for the respective departments, or their order, in the proportions beforementioned:

That the respective commissioners, or such of them as can conveniently assemble for that purpose, shall, as the goods arrive, fix a price, adding to the first cost interest, the charge of insurance, and all other charges, and also a commission not exceeding two and a half per cent. on the first cost, for their own care and trouble in receiving, storing, and selling them to the Indian traders; but such commissioners as are at the same

time members of congress, shall not be burdened with this part ^{Indian affairs} of the business, nor receive any part of the aforesaid commission :

That no person shall be permitted to trade with the Indians without license from one or more of the commissioners of each respective department :

That all traders shall dispose of their goods at such stated reasonable prices as shall be fixed and ascertained by the commissioners, or a majority of such as can conveniently assemble for that purpose, in each respective department, and shall allow the Indians a reasonable price for their skins and furs, and take no unjust advantage of their distress and intemperance ; and to this end they shall, respectively, upon receiving their licenses, enter into bond to the commissioners, for the use of the united colonies, in such penalty as the acting commissioners or commissioner shall think proper, conditioned for the performance of the terms and regulations above prescribed :

That to such licensed traders only, the respective commissioners shall deliver the goods, so to be imported, in such proportions as they shall judge will best promote a fair trade, and relieve the necessities of the Indians :

That every trader on receiving the goods, shall pay to the commissioners, in hand, the price at which they shall be estimated ; and the commissioners shall, from time to time, as the money shall come to their hands, transmit the same to the continental treasurers, deducting only the allowance for their trouble as aforesaid :

That the trade with the Indian nations shall be carried on at such posts and places only, as the commissioners for each department shall respectively appoint :

That these resolutions shall not be construed to prevent or debar any private person from importing goods for the Indian trade, under the restrictions expressed in the association.

The committee to whom the memorial of Samson Occum, one of the Mohegan Indians, in Connecticut, was referred, brought in their report : whereupon, In congress.
Feb. 5, 1776.

Resolved, That a friendly commerce between the people of the united colonies and the Indians, and the propagation of the gospel, and the cultivation of the civil arts among the latter, may produce many and inestimable advantages to both ; and that the commissioners for Indian affairs be desired to consider of proper places, in their respective departments, for the residence of ministers and schoolmasters, and report the same to Congress :

That the commissioners for Indian affairs in the northern department, be desired to inquire of Mr. Jacob Fowler, of the Montauk tribe of Indians, on Long Island, and Mr. Joseph Johnson, of the Mohegan, upon what terms they will reside

Indian affairs. among the Six Nations of Indians, and instruct them in the christian religion.

In congress, March 8, 1776. *Resolved*, That Indians be not employed as soldiers in the armies of the united colonies, before the tribes to which they belong shall, in a national council, held in the customary manner, have consented thereunto, nor then, without express approbation of Congress.

In congress, April 10, 1776. The committee to whom the report on Indian affairs in the middle department and the petition of captain White Eyes, were referred, brought in their report, which was taken into consideration: whereupon,

Resolved, That the commissioners for Indian affairs in the middle department, or any one of them, be desired to employ, for reasonable salaries, a minister of the gospel, to reside among the Delaware Indians, and instruct them in the christian religion; a schoolmaster to teach their youth reading, writing, and arithmetic; also a blacksmith to do the work of the Indians in the middle department.

Resolved, That the commissioners for Indian affairs in the middle department, be desired to provide, at the expense of the united colonies, for the entertainment of the sachems and warriors of the Indians, and their attendants and messengers, with the accustomed hospitality, when they come to Pittsburg to treat, or give intelligence of public affairs, or upon a visit.

Resolved, That the commissioners for Indian affairs be desired to acquaint the Indians, in their respective departments, that congress have formed a plan for importing goods to supply their necessities:

1. That the commissioners for Indian affairs be desired to inquire and report the cause of the discontent of the Indians in the middle department, what measures may be pursued to restore quiet and harmony; and to use their utmost endeavours, in the mean time, to prevent hostilities.

That disputes which shall arise between any of the white people and the Indians, in their dealings, (if the latter will consent,) be determined by arbitrators chosen, one by each of the parties, and another by the commissioners for Indian affairs, or when they are absent, by the agent in the department where the Indian party resides.

In congress, April 20, 1776. *Resolved*, That no traders ought to go into the Indian country without license from the agent in the department: and that care be taken by him to prevent exorbitant prices for goods being exacted from the Indians.

Resolved, That a ton of powder be sent to Mr. G. Morgan, to be distributed to such Indians as he shall be convinced are in our interest.

Resolved, That measures be immediately taken to procure goods, to supply the Indians at the treaties ordered to be held with them.

Resolved, That the Indian goods said to be at fort Pitt, be purchased for the use of the united colonies : In congress,
May 6, 1776.

That Indian goods, to the value of ten thousand dollars, be purchased at Montreal, for the use of the united colonies :

That treaties be held with the Indians in the different departments, as soon as practicable. and that the sum of ten thousand dollars be paid out of the treasury, to the commissioners of each respective department, for presents to the Indians, and the expenses of such treaties.

Resolved, That the standing committee for Indian affairs be directed to take measures for carrying into execution the resolution of the 6th, for holding a treaty with the Indians in the different departments, as soon as practicable. In congress,
May 11,
1776.

That the 20th of July be fixed on for holding a treaty at Pittsburg, with the Indians in the middle department; and that the standing committee be directed to inform the agent, and desire him to notify the Indians, and invite them to attend at the time and place mentioned; and also that the said committee inform the commissioners, and desire them to attend.

Agreeably to order, the Indians were admitted to an audience; after they withdrew, In congress,
May 27, 1776.

Resolved, That the standing committee for Indian affairs, be directed to prepare a speech to be delivered to the Indians, and to procure such articles as they judge proper for a present.

Resolved, That the sum of one hundred and fifty dollars be paid the Indian interpreter for his services, and to defray his expenses. In congress,
June 11, 1776.

The presents for the Indians being provided, they were called in, and the speech agreed to was delivered.

The presents being delivered, the Indian chief begged leave to give a name to the President; the same being granted, an Onondago chief arose, and saluted the President by the name of *Karanduaân*, or the Great Tree, by which name, he informed him, the President will be known among the Six Nations. After which the Indians took their leave and withdrew.

Resolved, That it be left to the discretion of the commissioners in the middle department, to postpone the holding the treaty with the Indians in their department, to such time as they think best; and that, if by continuing at Pittsburg, in the mean while, they are of opinion they shall be able to bring the Indians into a friendly disposition, and to render the treaty more general, they be desired to continue there : In congress,
Aug. 19, 1776.

That the invitation given by the said commissioners, to such of the Six Nations of Indians as live on the waters of the Ohio, to attend the said treaty, be approved :

That the said commissioners be instructed to make diligent inquiry into the murder lately committed by Indians in the

Indian affairs. neighborhood of Pittsburg, on one Crawford, and that as soon as they discover by whom the same was committed, they demand due punishment on the offender or offenders, which being granted, this Congress will not consider the same as a national act.

That the said commissioners invite such of the Indian chiefs and warriors of their department as they think best, to visit Congress at Philadelphia, after the conclusion of the treaty with them :

That the following extract from the speech of Logan, an Indian chief, be transmitted to the commissioners for the middle department, viz : " We still hear bad news. Conneodico, and some of us, are constantly threatened : and the Bearskin, a trader from Pennsylvania, amongst others, says, a great reward is offered to any person who will take or entice either of us to Pittsburg, where we are to be hanged up like dogs, by the Big Knife. This being true, how can we think of what is good? That it is true we have no doubt, and you may depend on it that the Bearskin told Metopsica every word of what I have mentioned." And that they be directed to do all in their power to remove every jealousy of the United States, or either of them, from the minds of the Indians. And as it may possibly happen, that the persons concerned in the Indian trade, in order to engross to themselves, or to the traders of their own state, the whole of the said Indian trade, may, by false suggestions, endeavor to poison the minds of the said Indians, and render them inimical to any other state, and to involve such state in an Indian war, that it be therefore recommended to the assemblies and conventions of the several states, from which trade is carried on with the Indians, that they take the most effectual measures to prevent the traders of their respective states from pursuing a practice so dangerous to the peace of the United States.

In congress,
Sept. 19,
1776.

Resolved, That it be recommended to the inhabitants of the frontiers, and to the officers at all the posts there, to treat the Indians who behave peaceably and inoffensively, with kindness and civility, and not to suffer them to be ill used or insulted.

As it may be a means of conciliating the friendship of the Canadian Indians, or at least of preventing hostilities from them, in some measure to assist the President of Dartmouth college, in New-Hampshire, in maintaining their youth, who are now there under his tuition, and whom the revenues of the college are not, at this time, sufficient to support ; that for this purpose, five hundred dollars be paid to the reverend doctor Eleazer Wheelock, President of the said college.

In congress,
Oct. 20, 1777.

Congress taking into consideration General R. Howe's letter of the 4th of September, 1777, to the speaker and assembly of the state of Georgia, and another of the 28th of August, to

the president of Congress, in which he represents the danger of an Indian war being provoked, by the wantonness and indiscretion of several persons in that state, Indian affairs.

Resolved, That it be earnestly recommended to the president and assembly of the state of Georgia, to use their utmost exertions to cultivate peace and harmony with the Indian nations: and to enable them to effect this salutary purpose, that they forthwith enact laws, inflicting severe penalties on such of their inhabitants as may endeavor to provoke a war, which may endanger the state of Georgia, and entail great injury and expense on the United States.

The committee to whom was referred the letter from the commissioners for Indian affairs in the northern department, together with the papers enclosed, and the opinion of the board of war thereon, brought in a report; whereupon, In congress,
Feb. 2, 1778.

Resolved, That the commissioners be instructed to speak to the Indians, at the intended treaty at Johnston, in language becoming the representatives of free, sovereign, and independent states, and in such a tone as will convince them that we feel ourselves to be so; but whether it will be prudent to insist upon the Indians taking an active part in behalf of these states, must depend upon the temper they shall appear to be in; that this particular, therefore, be submitted to the discretion of the commissioners.

Resolved, That the commissioners speak and act in such manner as they shall think most likely to obtain the friendship, or, at least, the neutrality of the Indians, and that congress will support the commissioners in any measures they shall conceive best calculated to answer these ends:

That the commissioners be authorized to purchase five or six hundred blankets, or to order that number to be sent to Johnston, from any of the public stores to the eastward, if to be had there, to be given as presents to the Indians.

The board of war, to whom was referred the letter of the 20th of February, from the committee at camp, having made report, the same was taken into consideration: whereupon, In congress,
March 4,
1778.

Resolved, That General Washington be empowered, if he think it prudent and proper, to employ in the service of the United States a body of Indians, not exceeding four hundred; and that it be left to him to pursue such measures as he judges best for procuring them, and to employ them, when procured, in such way as will annoy the enemy, without suffering them to injure those who are friends to the cause of America.

Resolved, That brigadier McIntosh be directed to assemble, at fort Pitt, as many continental troops and militia as will amount to fifteen hundred, and proceed without delay to destroy such towns of the hostile tribes of Indians as he, in his discretion, shall think will most effectually tend to chastise and In congress,
July 2^d, 1778.

Indian affairs. terrify the savages, and to check their ravages on the frontiers of these states :

That it appearing most evidently that the late incursion at Wyoming and the adjacent parts, has been made by the Senecas and some other tribes of the Six Nations, aided by Tories and other banditti, from the frontiers of New York, New Jersey, and Pennsylvania, the expedition meditated against them from the northward be forwarded with all possible despatch, and that the board of war take the necessary steps for that purpose.

In congress,
Oct. 6, 1778.

A letter of September 24th, from Andrew Lewis and Thomas Lewis, esquires, commissioners at fort Pitt, was read, together with their proceedings at the treaty with the chiefs of the Delaware nation, and an agreement or confederation entered into between them and the said chiefs, and other papers enclosed :

Ordered, That the same be referred to a committee of three.

In congress,
April 3, 1779.

Resolved, That twelve blank commissions be transmitted to the commissioners of Indian affairs for the northern department ; and that they, or any two of them, be empowered to fill them up with the names of faithful chiefs of the Oneidas and Tuscaroras, giving them such ranks as the said commissioners shall judge they merit ; the names and ranks to be by the commissioners reported to the board of war.

In congress,
May 17, 1779.

Resolved, That the commissioners for Indian affairs in the northern department, be directed to consult general Washington upon all treaties with the Indians, and to govern themselves by such instructions as he shall give them, relative to any partial or general treaty of peace to be concluded with them.

In congress,
Nov. 8, 1779.

A letter of the 26th, from colonel Broadhead, at Pittsburg, was read, informing that some of the inhabitants from Yoghia-gany and Ohio counties, had crossed the Ohio, and made small improvements on the Indians' land, from the river Muskingum to fort M'Intosh, and thirty miles up the branches of the Ohio river ; and that he had ordered the trespassers to be apprehended, and the huts to be destroyed.

Ordered, That a letter be written to the governor of Virginia, enclosing a copy of colonel Broadhead's letter, and requesting his excellency to endeavor to prevent a repetition of the trespasses mentioned in it.

In congress,
Nov. 27,
1779.

Congress took into consideration the report of the committee, consisting of Mr. Forbes, Mr. Sharpe, Mr. Morris, on a letter of the 17th of October last, from major general Schuyler: and thereupon agreed to the following answer to the said letter:

“SIR: Notwithstanding the many injuries committed by the savages, congress are disposed to peace: the conditions on which they insist, are,

First, that it shall be supplicated on the part of the enemy :

secondly, that they shall surrender all the Americans in their ^{Indian affairs.} hands; thirdly, that they shall expel all British agents and emissaries; fourthly, that they shall covenant to deliver up such as shall hereafter go among them; fifthly, that they shall covenant not to take up the hatchet again, under penalty of being driven from their country; and sixthly, that they shall give hostages for their strict adherence to the promises to be by them made."

The board of war, to whom was referred general Schuyler's ^{In congress,} letter of the 5th, brought in a report, which was read: where- ^{Feb. 21, 1780.} upon,

Resolved, That the commissioners of Indian affairs in the northern department, be authorized and instructed to take such securities from the hostile tribes of Indians, to ensure the faithful performance of their engagements with the said commissioners, as seem most conducive to the end proposed, in lieu of hostages.

A report from the board of war was read, enclosing accounts ^{In congress,} against the United States for the support and tuition of three ^{July 31, 1781.} Indian boys at Princeton: whereupon,

Ordered, That the same be referred to the board of treasury; and that the board devise ways and means for furnishing colonel George Morgan with the sum of one hundred and thirty-seven pounds, currency of New-Jersey, in specie, to enable him to pay for the support and tuition of three Indian boys, of the Delaware nation, now at Princeton college; for which sum colonel George Morgan is to be accountable.

The reasons that induced your committee to recommend the ^{Report of a} acceptance of this ^{committee of} cession,* are,

1. It clearly appeared to your committee, that all the lands ^{Report of a} belonging to the Six Nations of Indians and their tributaries ^{committee of} have been, in due form, put under the protection of the crown ^{congress, May} of England, by the said Six Nations, as appendant to the late ^{1, 1782,} government of New-York, so far as respects jurisdiction only.

2. That the citizens of the said colony of New York have borne the burden, both as to blood and treasure, of protecting and supporting the said Six Nations of Indians and their tributaries, for upwards of one hundred years last past, as the dependents and allies of the said government.

3. That the crown of England has always considered and treated the country of the said Six Nations, and their tributaries, inhabiting as far as the 45th degree of north latitude, as appendant to the government of New York.

4. That the neighboring colonies of Massachusetts, Connecticut, Pennsylvania, Maryland, and Virginia, have also, from time to time, by their public acts, recognized and admitted the said Six Nations and their tributaries to be appendant to the government of New York.

Indian affairs.

5. That by congress accepting this cession, the jurisdiction of the whole western territory, belonging to the Six Nations and their tributaries, will be vested in the United States, greatly to the advantage of the union.

In congress,
Oct. 11, 1782.

On the report of a committee, consisting of Mr. Boudinot, Mr. Duane, and Mr. Williamson, to whom were referred the letter of the 26th of September from the commander in chief, and the letter of the 21st of September from general Schuyler:

Resolved, That the commissioners of Indian affairs for the northern department, be instructed to avail themselves of the change of temper, which is represented to prevail in the tribes of Indians under their superintendence, and to devise and report to congress the best means of securing the said tribes against the future intrigues of the enemy.

In congress,
Nov. 2, 1782.

The committee, consisting of Mr. Duane, Mr. Ramsay, and Mr. Wharton, to whom was referred a letter of the 1st, from the secretary of war, report,

"That they have had a conference with the two deputies of the Catawba nation of Indians: that their mission respects certain tracts of lands reserved for their use, in the state of South Carolina, which they wish may be so secured to their tribe as not to be intruded into by force, nor alienated even with their own consent;" whereupon,

Resolved, That it be recommended to the legislature of the state of South Carolina, to take such measures for the satisfaction and security of the said tribe, as the said legislature shall, in their wisdom, think fit.

In congress,
May 1, 1783.

Resolved, That the secretary of war take the most effectual measures to inform the several Indian nations, on the frontiers of the United States, that preliminary articles of peace have been agreed on, and hostilities have ceased with Great Britain, and to communicate to them that the forts within the United States, and in possession of the British troops, will speedily be evacuated: intimating also, that the United States are disposed to enter into friendly treaty with the different tribes; and to inform the hostile Indian nations, that unless they immediately cease all hostilities against the citizens of these states, and accept of these friendly proffers of peace, congress will take the most decided measures to compel them thereto.

By the United States in congress assembled, a proclamation.

In congress,
September
22, 1783.

Whereas, by the ninth of the articles of confederation, it is, among other things, declared, that "the United States in congress assembled have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state, within its own limits, be not infringed or violated:" and whereas it is essential to the wel-

fare of the United States, as well as necessary for the maintenance of harmony and friendship with the Indians, not members of any of the states, that all cause of quarrel or complaint between them and the United States, or any of them, should be removed and prevented; therefore the United States in congress assembled have thought proper to issue their proclamation, and they do hereby prohibit and forbid all persons from making settlements on lands inhabited or claimed by Indians, without the limits or jurisdiction of any particular state, and from purchasing or receiving any gift or cession of such lands or claims, without the express authority and directions of the United States in congress assembled. Indian affairs.

And it is moreover declared, that every such purchase or settlement, gift, or cession, not having the authority aforesaid, is null and void, and that no right or title will accrue in consequence of any such purchase, gift, cession, or settlement.

Done in congress, at Princeton, this twenty second day of September, in the year of our Lord one thousand seven hundred and eighty-three, and of our sovereignty and independence the eighth.

Resolved, That a convention be held with the Indians residing in the northern and middle departments, who have taken up arms against the United States, for the purposes of receiving them into the favor and protection of the United States, and of establishing boundary lines of property, for separating and dividing the settlements of the citizens from the Indian villages and hunting grounds, and thereby extinguishing, as far as possible, all occasion for future animosities, disquiet, and contention. In congress,
Oct. 13, 1783.

And whereas the trade with the Indians ought to be regulated, and security be given by the traders for the punctual observance of such regulations, so that violence, fraud, and injustice, towards the Indians, may be guarded against and prevented, and the honor of the federal government and the public tranquillity thereby promoted:

Resolved, That a committee be appointed, with instructions to prepare and report an ordinance for regulating the Indian trade, with a clause therein strictly prohibiting all civil and military officers, particularly all commissioners and agents for Indian affairs, from trading with the Indians, or purchasing, or being directly or indirectly concerned in purchasing lands from Indians, except only by the express license and authority of the United States in congress assembled.

Resolved, That the preceding measures of congress relative to Indian affairs, shall not be construed to affect the territorial

Indian affairs: claims of any of the states, or their legislative rights within their respective limits.

Resolved, That it will be wise and necessary, as soon as circumstances shall permit, to erect a district of the western territory into a distinct government, as well for doing justice to the army of the United States, who are entitled to lands as a bounty, or in reward of their services, as for the accommodation of such as may incline to become purchasers and inhabitants; and, in the interim, that a committee be appointed to report a plan, consistent with the principles of the confederation, for connecting with the union, by a temporary government, the purchasers and inhabitants of the said district, until their number and circumstances shall entitle them to form a permanent constitution for themselves, and, as citizens of a free, sovereign, and independent state, to be admitted to a representation in the union: provided always, that such constitution shall not be incompatible with the republican principles which are the basis of the constitutions of the respective states in the union.

In congress,
Feb. 10, 1784.

Resolved, That general Schuyler be, and he is hereby directed, to expedite the return of the deputation from the late hostile tribes of Indians, with information to their constituents, that due notice shall be given them of the time and place where congress will hold a meeting, for settling a general treaty with the Indian nations, which meeting they may rest satisfied will be held as soon as the season and other necessary circumstances will permit. In the mean time, the Indian tribes may be assured of the protection of the United States, so long as they continue in the peaceable disposition which they now manifest, and which is highly pleasing to congress.

In congress,
March 5,
1784.

Resolved, That the president immediately inform the gentlemen elected commissioners for holding a treaty with the Indians, of the said election, and that, as it is the wish of congress that the negotiations should commence as soon as possible, the commissioners are desired to meet at New York, on the tenth day of April next, to fix upon the times and places of holding the treaties with the different nations and tribes of Indians, and give them, respectively, the speediest information of the time and place determined on, inviting them to meet accordingly.

In congress,
March 19,
1784.

Resolved, That the commissioners appointed to negotiate with the Indians, shall each be allowed six and a half dollars per day, for the time they shall be employed in that business, in full for their services and expenses, exclusive of their expenses at the place or places where the treaties shall be held.

On the report of a committee, consisting of Mr. Jefferson, Mr. Howell, and Mr. Lee, to whom was referred an additional report on Indian affairs:

Resolved, That the superintendent of finance cause to be purchased a quantity of goods, to be applied in negotiating the treaty with the Indians, the amount not to exceed the sum of fifteen thousand dollars, including those on hand, according to an estimate, specifying kinds, quantities, and qualities, to be furnished by the commissioners for negotiating the treaty. Indian affairs.

Resolved, That the commissioners be, and they hereby are authorized and instructed to appoint one or more suitable person or persons, with such allowance as they may think reasonable, to receive the aforesaid goods, to take charge of their transportation, to such place or places as may be pointed out by the said commissioners, and to attend to the safe keeping and issuing, agreeably to such orders as he or they may receive from the said commissioners, all goods committed to his or their care, which orders are to be produced as vouchers on the settlement of the accounts. And that the superintendent of finance furnish to the order of the said commissioners the sums of money necessary for carrying this resolve into execution.

Resolved, That the said commissioners be, and they hereby are authorized and directed, to make and transmit to congress, from time to time, estimates of such additional quantities of goods, as may be found necessary in the course of their negotiations, in order that proper measures may be taken for procuring and forwarding the same.

Whereas it is necessary to expedite the holding treaties with the Indian nations, which it appears cannot be done but under the protection of an armed force ; therefore, In congress,
June 3, 1784-

Resolved, That the secretary in the war office be, and he is hereby, directed to order three hundred men, of the militia, directed to be raised by the act of this day, to be in readiness to march when and to what place or places the commissioners for negotiating with the Indians, or any two of them, shall direct : and that the commanding officer of the said troops give such protection to the commissioners as they, or any two of them, shall require ; and that the said secretary give order to the different keepers of the public stores, to furnish to the order of the commissioners, or any two of them, such tents, marquees, and other articles, as the said commissioners shall think proper.

Resolved, That the superintendent of finance take order for purchasing and transmitting the articles necessary for the Indian treaties, according to a list hereunto annexed, to such places as the commissioners appointed to negotiate with the Indians, or any two of them, shall direct. That he furnish such additional articles, not exceeding the sum of four thousand dollars, as the said commissioners shall order ; and that he contract with such persons as he may think proper, to furnish sixty thousand rations for the Indian treaties, at such places as

Indian affairs. the commissioners, or any two of them, shall direct, together with such things as shall be necessary for the expenses of the said commissioners during the negotiation.

Resolved, That the commissioners for negotiating with the Indians, or any two of them, being a majority of those present, be empowered to do the business of the commission, and to appoint a secretary, messengers, interpreters, storekeepers, and such artificers as they may find necessary, and to agree with them for their pay, for which they shall draw warrants on the treasury.

In congress,
March 15,
1785.

Resolved, That three commissioners, with the same pay as is allowed to the commissioners appointed for treating with the northern Indians, be appointed to treat with the Cherokees and all other Indians southward of them, within the limits of the United States, or who have been at war with them, for the purpose of making peace with them, receiving them into the favor and protection of the United States, and removing as far as may be, all causes of future contention or quarrels.

That the commissioners be instructed, as a preliminary, to require that all prisoners, of whatever age or sex, among the Indians, shall be delivered up, and they are further instructed to demand the negroes and other property, belonging to the citizens of the United States, which have been captured during the war.

That they be instructed to inform the Indians of the great occurrences of the last war, and of the extent of country relinquished by the late treaty of peace with Great Britain.

That the commissioners, previous to their holding any treaty, shall give due notice of the time and place where it is to be held, to the supreme executives of Virginia, North-Carolina, South-Carolina, and Georgia; in order that they may, each of them, appoint one or more persons to attend during the treaty, if they think proper.

That the commissioners be instructed to encourage the Indians to give notice to Congress, or some of their officers, of any designs that may be formed in any neighboring tribe, or by any person whatever, against the peace of the United States.

That the commissioners be authorized to apply to the supreme executive of Virginia, North Carolina, South Carolina, or Georgia, for one hundred and fifty men, or such part thereof as they may deem necessary, of their militia, for the purpose of protecting the commissioners whilst engaged in concluding the said treaties; and that they be authorized to draw on any of the said states for a sum not exceeding nine thousand dollars, to discharge the expense of holding the treaties, including the pay of the commissioners and the pay and subsistence of the guard for the commissioners; and a sum not exceeding four thousand dollars, to be expended in making pre-

sents to the Indians; and that the said states have credit for Indian affairs. such advance out of the requisitions for the year 1786.

Resolved, That in order to give greater security to the frontier settlement, and establish a boundary line between the United States and the Pattawatima, Twightwees, Piankeshaw, and other western nations, a treaty be held with the said Indians at Post Vincent, on the Wabash river, on the 20th day of June, 1785, or at such other time or place as the commissioners may find more convenient. In congress,
March 18,
1785.

That 18,429 pounds weight of beef, 21,047 pounds of flour, and salt in proportion, in addition to the rations now in use at fort M'Intosh, will be necessary for the said treaty; and that the commissioners of the treasury take order to furnish the same, by contract.

That the commissioners for holding the aforesaid treaty, purchase and cause to be transported, such goods as they may judge necessary, in addition to the goods in store at fort M'Intosh, to an amount not exceeding three thousand dollars, and that they be empowered to draw, out of the public magazines, if they think proper, such a quantity of powder as they may find necessary for the purposes of the treaty.

That the commissioners of the treaty take order to advance to the commissioners aforesaid, the sum of three thousand dollars, for which they are to account, in addition to the amount of the goods to be purchased as aforesaid.

That the troops at the western posts, or so many of them as may be required, be subject to the order of the aforesaid commissioners for holding the treaty, during the time of the said treaty.

Resolved, That the commissioners instructed to hold a treaty under the resolutions of the 18th of March last, with the western tribes of Indians, at Post St. Vincent, on the 20th day of June, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed, to avail themselves of the disposition of the Indians, and the funds committed to their charge, to make such cession as extensive and liberal as possible. In congress,
June 6, 1785.

1. *Resolved*, That the commissioners instructed to hold a treaty, under the resolutions of the 18th March last, with the western tribes of Indians, for the purpose of obtaining from them a cession of lands, be, and they are hereby authorized and directed, to avail themselves of the disposition of the Indians, and the funds committed to their charge, to make such cession as extensive and liberal as possible. In congress,
June 15, 1785.

2. That the board of treasury take order for the purchase of goods, in addition to those on hand at fort M'Intosh, and those ordered to be purchased by the resolutions of the 18th

Indian affairs. March last, for the purpose of carrying the said treaty fully into effect, to an amount not exceeding three thousand dollars.

3. That the board of treasury take order for the purchase of provisions and other stores, for the support of the commissioners and others necessarily attending the treaty, to an amount not exceeding two thousand dollars.

4. That the board of treasury take order to answer the draughts of the commissioners of the treaty, for the pay of the officers, messengers, interpreters, and artificers, in a sum not exceeding two thousand dollars.

5. That the board of treasury take order for contracting, upon the best terms they can, for the transportation of the said goods to the place at which the treaty may be held, or such other places as the commissioners may think proper; and also for the transportation of the troops and their baggage, which may be necessarily employed in attending the said treaty.

6. That the commissioners be, and they are hereby authorized, to make rules and regulations for the management of the treaty, and the government of all those who attend it.

7. That they endeavor to obtain from the inhabitants, of Kaskaskies, St. Vincents, and others, a statement of their rights to lands within the said country, guaranteed to them by congress, in their acceptance of the Virginia cession, with the origin and extent thereof, and report the same. That they also administer to the said inhabitants, the following oath of allegiance: *I, ———, do solemnly swear (or affirm) that I will be true and faithful to the United States of America; that I renounce all allegiance and dependence upon any foreign prince or potentate whatsoever; and that I will, as becomes a good citizen, as far as in me lies, protect and defend the said United States from all attacks and invasions from other powers.*

8. That they prohibit the settlement of all persons, not properly authorized for that purpose, upon the unappropriated lands of the United States, and that they cause to be circulated in the said country the following proclamation:

Whereas it hath been represented to the United States in congress assembled, that several disorderly persons have crossed the river Ohio, and settled upon their unappropriated lands; and whereas it is their intention, as soon as it shall be surveyed, to open offices for the sale of a considerable part thereof, in such proportions, and under such other regulations, as may suit the convenience of all the citizens of the said states, and others who may wish to become purchasers of the same; and as such conduct tends to defeat the object which they have in view, is in direct opposition to the ordinances and resolutions of congress, and highly disrespectful to the federal authority, they have therefore thought fit, and do hereby issue this their pro-

clamation, strictly forbidding all such unwarrantable intrusions, ^{Indian affairs,} and enjoining all those who have settled thereon, to depart, with their families and effects, without loss of time, as they shall answer the same at their peril.

That the secretary of war be, and he is hereby directed, to order the troops in the service of the United States to be in readiness to march at such time, and to such place or places, as the said commissioners, or any two of them, shall direct.

That the fourth of the instructions given on the 15th of October, 1783, to the commissioners for negotiating with the Indians, be, and it is hereby repealed.

On the report of a committee, consisting of Mr. Hardy, Mr. Howell, Mr. J. Henry, Mr. King, and Mr. Grayson, to whom ^{In congress,} June 29, 1786. was referred a motion of Mr. King:

Resolved, That the commissioners for negotiating a treaty with the western tribes of Indians, under the resolutions of the 18th of March last, and of the 15th of June instant, be, and they are hereby directed, to hold the said treaty on the western banks of the Ohio, at the rapids, or at the mouth of the Great Miami.

That the secretary of war detach one company of infantry, from the troops in the service of the United States, to attend the said commissioners to, at, and from, the place where the treaty aforesaid shall be held, and to be subject to the orders of the said commissioners, and that so much of the act of the 15th instant, as directs the secretary of war to order the troops in the service of the United States to be in readiness to attend the said commissioners, and so much of the said act as requires the commissioners to obtain from the inhabitants of Kaskaskies, St. Vincents, and others, a statement of their rights to lands, and to administer an oath to the said inhabitants, be, and are hereby repealed.

Resolved, That it be, and hereby is, recommended to the commonwealth of Virginia, on the request of the said commissioners, to furnish such numbers of the militia of that state, not exceeding one hundred and fifty men, from the counties within the state most convenient to the place where the said treaty is to be held, as will give full protection to all persons attending the same: provided, the company of infantry aforesaid shall be found to be insufficient for that purpose.

On the report of a committee, consisting of Mr. Monroe, ^{In congress,} July 12, 1786. Mr. Johnson, Mr. King, Mr. Kean, and Mr. Pinckney, to whom were referred the treaties made with the Indians:

Whereas it is unnecessary to continue the commissions longer in force, which were granted for the purpose of treating with the Indians in the northern, middle, and southern departments, as the future connexion and intercourse with the seve-

Indian affairs. ral Indian nations may, at a less expense, be maintained by a proper organization of the Indian department; therefore,

Resolved, That the several commissions of the 17th May, and 22d September, 1785, be, and they are hereby revoked.

In congress,
Aug. 7, 1786.

An ordinance for the regulation of Indian affairs.

Whereas the safety and tranquillity of the frontiers of the United States do, in some measure, depend on the maintaining a good correspondence between their citizens and the several nations of Indians, in amity with them: and whereas the United States in congress assembled, under the ninth of the articles of confederation and perpetual union, have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states; provided, that the legislative right of any state, within its own limits, be not infringed or violated:

Indian department divided into two districts, &c.

Be it ordained by the United States in Congress assembled, That from and after the passing of this ordinance, the Indian department be divided into two districts, viz: The southern, which shall comprehend within its limits all the nations in the territory of the United States, who reside southward of the river Ohio; and the northern, which shall comprehend all the other Indian nations within the said territory, and westward of Hudson river: provided, that all councils, treaties, communications, and official transactions, between the superintendent hereafter mentioned for the northern district, and the Indian nations, be held, transacted, and done, at the outpost occupied by the troops of the United States, in the said district. That a superintendent be appointed for each of the said districts, who shall continue in office for two years, unless sooner removed by congress, and shall reside within, or as near the district for which he shall be so appointed, as may be convenient for the management of its concerns. The said superintendents shall attend to the execution of such regulations as congress shall, from time to time, establish respecting Indian affairs. The superintendent for the northern district shall have authority to appoint two deputies, to reside in such places as shall best facilitate the regulations of the Indian trade, and to remove them for misbehavior. There shall be communications of all matters relative to the business of the Indian department, kept up between the said superintendents, who shall regularly correspond with the secretary of war, through whom all communications respecting the Indian department shall be made to congress; and the superintendents are hereby directed to obey all instructions which they shall, from time to time, receive from the said secretary of war. And whenever they shall have reason to suspect any tribe or tribes of Indians of hostile intentions, they shall communicate the same to the executive of the state or states whose territories are subject to

A superintendent for each district, &c.

the effect of such hostilities. All stores, provisions, or other property, which congress may think necessary for presents to the Indians, shall be in the custody and under the care of the said superintendents, who shall render an annual account of the expenditures of the same to the board of treasury.

And be it further ordained, That none but citizens of the United States shall be suffered to reside among the Indian nations, or be allowed to trade with any nation of Indians within the territory of the United States. That no person, citizen or other, under the penalty of five hundred dollars, shall reside among or trade with any Indian, or Indian nation, within the territory of the United States, without a license for that purpose first obtained from the superintendent of the district, or one of the deputies, who are hereby directed to give such license to every person who shall produce, from the supreme executive of any state, a certificate, under the seal of the state, that he is of good character, and suitably qualified and provided for that employment; for which license he shall pay the sum of fifty dollars to the said superintendent, for the use of the United States. That no license to trade with the Indians shall be in force for a longer term than one year, nor shall permits or passports be granted to any other persons than citizens of the United States, to travel through the Indian nations, without their having previously made their business known to the superintendent of the district, and received his special approbation. That previous to any person or persons obtaining a license to trade as aforesaid, he or they shall give bond, in three thousand dollars, to the superintendent of the district, for the use of the United States, for his or their strict adherence to, and observance of, such rules and regulations as congress may, from time to time, establish for the government of the Indian trade. All sums to be received by the said superintendents, either for licenses or fines, shall be annually accounted for by them, with the board of treasury.

And be it further ordained, That the said superintendents, and the deputies, shall not be engaged either directly or indirectly, in trade with the Indians, on pain of forfeiting their offices: and each of the superintendents shall take the following oath, previous to his entering on the duties of his appointment: *"I, A B, do swear, that I will well and faithfully serve the United States in the office of superintendent of Indian affairs, for the ——— district; that I will carefully attend to all such orders and instructions as I shall, from time to time, receive from the United States in congress assembled, or the secretary of war; that I will not be concerned, either directly or indirectly, in trade with the Indians, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly,*

None but citizens to reside or trade with the Indians, &c.

Superintendents and deputies not to trade, &c.

Form of oath to be taken by superintendents.

Indian affairs. *and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor, or affection."* And the superintendent for the northern district shall administer to his deputies the following oath, before they proceed on the duties of their office: "*I, A B, do swear, that I will well and faithfully serve the United States, in the office of deputy superintendent of Indian affairs, in the northern district; that I will carefully attend to all such orders and instructions as I shall, from time to time, receive from the United States in congress assembled, the secretary of war, or the superintendent of the district aforesaid, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly, and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor, or affection."* And the said superintendents, and deputy superintendents, shall each of them give bond with surety to the board of treasury, in trust for the United States; the superintendents, each, in the sum of six thousand dollars, and the deputy superintendents, each, in the sum of three thousand dollars, for the faithful discharge of the duties of their office.

Form of oath to be taken by deputies of superintendent in northern district.

Bond and surety.

Recovery of fines and forfeitures, &c.

And it is further ordained, That all fines and forfeitures, which may be incurred by contravening this ordinance, shall be sued for, and recovered before any court of record within the United States, the one moiety thereof to the use of him or them who may prosecute therefor, and the other moiety to the use of the United States. And the said superintendents shall have power, and hereby are authorized, by force, to restrain therefrom all persons who shall attempt an intercourse with the said Indians, without a license therefor obtained as aforesaid.

Superintendents, in certain cases, to act in conjunction with state authorities.

And be it further ordained, That in all cases where transactions with any nation or tribe of Indians, shall become necessary to the purposes of this ordinance, which cannot be done without interfering with the legislative rights of a state, the superintendent in whose district the same shall happen, shall act in conjunction with the authority of such state.

Done by the United States in congress assembled, this seventh day of August, A. D. one thousand seven hundred and eighty-six, &c.

In congress, Oct. 6, 1786.

Resolved, That the oaths required of the superintendents of Indian affairs, be taken before any one of the judges of the supreme court in any of the United States.

In congress, July 18, 1787.

Resolved, That congress approve the measures taken by the secretary of war, with respect to the Indian chiefs of the Cherokee, Choctaw, and Chickasaw tribes, on their late visit to the seat of congress, and that the expenses attending the same be allowed.

Resolved, That all communications to the United States in ^{Indian affairs.} congress, from the Indian tribes, ought to be made through the superintendents of Indian affairs.

Resolved, That if any trader or other person shall, without the authority of the said superintendents, undertake to conduct any Indian or Indians to the seat of congress, he shall be responsible for all expenses which may attend the same: and further, that where the person so acting as a conductor, shall be a trader, his license to trade with the said Indians shall become forfeited, and the same shall, at no time thereafter, be renewed.

Resolved, That the superintendents of Indian affairs be instructed to make public the foregoing resolutions, and to govern themselves accordingly.

Resolved, That the superintendent of Indian affairs for the northern department, and in case he be unable to attend, then ^{In congress, July 21, 1787.} colonel Josiah Harmer, immediately proceed to Post St. Vincents, or some other place more convenient, in his opinion, for holding a treaty with the Wabash Indians, the Shawanees, and other hostile tribes; that he inform those Indians that congress is sincerely disposed to promote peace and friendship between their citizens and the Indians; that to this end, he is sent to invite them, in a friendly manner, to a treaty with the United States, to hear their complaints, to know the truth, and the causes of their quarrels with those frontier settlers; and having invited those Indians to the treaty, he shall make strict inquiry into the causes of their uneasiness and hostile proceedings, and form a treaty of peace with them, if it can be done on terms consistent with the honor and dignity of the United States.

Resolved, That a general treaty be held with the tribes of Indians within the limits of the United States, inhabiting the country northwest of the Ohio, and about lake Erie, as soon after the first of April next as conveniently may be, and at such place, and at such particular time, as the governor of the western territory shall appoint, for the purposes of knowing the causes of uneasiness among the said tribes, and hearing their complaints; of regulating trade, and amicably settling all affairs concerning lands and boundaries between them and the United States.

On motion of Mr. King, seconded by Mr. Kean,

Resolved, That twenty thousand dollars be, and hereby are ^{In congress, Oct. 12, 1787.} appropriated, for the purpose of Indian treaties, whenever the same shall be hereafter judged necessary by a majority of the United States in congress assembled, and that the resolutions for holding a general treaty with the Indians, passed the fifth of the present month, be, and they are hereby repealed.

Resolved, That the governor of the western territory be, and ^{In congress, Oct. 23, 1787.} he is hereby empowered, to hold a general treaty with the ad-

Indian affairs. jacent Indian tribes, in the ensuing spring, if, in his judgment, the public good requires it, and that he be authorized to draw for such sums of the money appropriated by the resolve of congress of the 12th instant, as may be necessary to effect this object, not exceeding, in the whole, the sum of 14,000 dollars.

In congress,
Oct. 26, 1787. *Resolved*, That the executive, or legislature, if they be in session, in the states of North Carolina, South Carolina, and Georgia, be, and they are hereby authorized, to appoint, each of them, one commissioner; who shall, in conjunction with the superintendent of Indian affairs for the southern department, or, in his absence, by themselves, negotiate a treaty for the establishing peace between the United States and the tribes of Indians in the southern department; and any two of the commissioners to be appointed as aforesaid, in conjunction with the superintendent, or in case of the absence of the superintendent, any two of the said commissioners agreeing, their decision shall be final and conclusive; and that the said commissioners shall each be allowed five dollars a day, for the time they shall be employed in that business, in full for their services and expenses, exclusive of their expenses at the place or places where the treaties shall be held.

That the sum of six thousand dollars, being a part of the sum appropriated by the resolution of the twelfth of the present month, for holding Indian treaties, in addition to the goods in the hands of the former commissioners for holding a treaty with the southern Indians, be applied to holding the said treaty, at such time and such places as shall be appointed by the superintendent of Indian affairs for the southern department, in conjunction with the executive of the state of North Carolina, for the treaty with the Cherokees, and with the executive of Georgia, for that with the Creek nation; or, in case of the absence of the superintendent, then the time and place to be appointed by the executive of each state, in manner aforesaid. The aforesaid sum to be in full for all charges, of whatsoever nature they may be, relative to the said treaty, including the pay of the commissioners and militia: and, that the states of North Carolina, South Carolina, and Georgia, be called on to furnish the aforesaid sum, in equal proportions, to be credited on requisitions of congress. •

That the commissioners aforesaid be, and they hereby are authorized, to apply to the states of North Carolina, South Carolina, and Georgia, for any number of men, not exceeding one hundred of their militia, for the purpose of guarding and protecting the stores and goods necessary for carrying on the said treaty.

Resolved, That if, under the authority given the 22d day of the present month, to the governor of the territory of the United States northwest of the river Ohio, he shall think it ex-

pedient to hold a treaty with the Indian tribes in the northern ^{Indian affairs.} department, he shall apply to the commanding officer of the troops of the United States, for such a number of men as he may deem proper for guarding and protecting the stores and goods necessary for holding the said treaty; and the commanding officer of the troops of the United States shall cause the said number of men to be marched to such place, and at such time, as shall be directed by the governor.

Whereas it is represented to congress, by the delegates of ^{In congress,} the state of Georgia, that the principal parts of the frontiers of ^{July 15, 1788.} that state have been for several years past invaded, and kept in a state of alarm by the Creek Indians: that the fighting men of that nation, supposed to amount to not less than six thousand, have been so far instigated by refugees and fugitive traders, who had formerly escaped from these states and taken refuge among them, as to keep up constant and bloody incursions on the different parts of that frontier, and that the settlements of four of the exterior counties are almost entirely broken up:

Resolved, That the superintendent and commissioners for the southern department be instructed, if they shall find it necessary, to notify to the said Indians, that should they persist in refusing to enter into a treaty upon reasonable terms, the arms of the United States shall be called forth for the protection of that frontier.

Ordered, That the secretary of war report to congress a plan for carrying into effect the purposes specified in the preceding resolve, as nearly as may be, upon the principles of the resolution of the 21st of July last, for the protection of the frontiers of Pennsylvania and Virginia.

A Proclamation.

Whereas the United States in congress assembled, by their ^{In congress,} commissioners duly appointed and authorized, did, on the ^{Sept. 1, 1788.} twenty-eighth day of November, one thousand seven hundred and eighty-five, at Hopewell, on the Keowee, conclude articles of a treaty with all the Cherokees, and among other things stipulated and engaged by article fourth, "that the boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is and shall be the following, viz: Beginning at the mouth of Duck river on the Tennessee; thence running northeast to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge, to a north-east line to be run, which shall strike the river Cumberland forty-five miles above Nashville; thence along the said line to the river; thence up the said river to the ford, where the Ken-

Indian affairs. tucky road crosses the river; thence, to Campbell's line, near to Cumberland Gap; thence to the mouth of Claud's creek on Holston; thence to the Chimney-top mountain; thence to Camp creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course, six miles, to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same southwest, over the top of the Oconee mountain, till it shall strike Tugalo river; thence a direct line to the top of the Currahee mountain; thence to the head of the south fork of the Oconee river." And by article fifth, that "if any citizen of the United States, or other person, not being an Indian, should attempt to settle on any of the lands westward or southward of the said boundary, which were allotted to the Indians for their hunting grounds, or having settled previously to concluding the said treaty, and not removing from the same within six months after the ratification of the said treaty, such person should forfeit the protection of the United States, and that the Indians might punish him, or not, as they please; provided, that the said fifth article should not extend to the people settled between the fork of French Broad and Holston rivers, whose particular situation should be transmitted to the United States in congress assembled, for their decision thereon, which the Indians agreed to abide by." And whereas it has been represented to congress, that several disorderly persons settled on the frontiers of North Carolina, in the vicinity of Chota, have, in open violation of the said treaty, made intrusions upon the said Indian hunting grounds, and committed many unprovoked outrages upon the said Cherokees, who, by the said treaty, have put themselves under the protection of the United States, which proceedings are highly injurious and disrespectful to the authority of the union, and it being the firm determination of congress to protect the said Cherokees in their rights, according to the true intent and meaning of the said treaty; the United States in congress assembled have therefore thought fit to issue, and they do hereby issue, this their proclamation, strictly forbidding all such unwarrantable intrusions, and hostile proceedings against the said Cherokees; and enjoining all those who have settled upon the said hunting grounds of the said Cherokees, to depart, with their families and effects, without loss of time, as they shall answer their disobedience to the injunctions and prohibitions expressed in this resolution at their peril: provided, that this proclamation shall not be construed as requiring the removal of the people settled between the fork of French Broad and Holston rivers, referred to in the said treaty: provided, also, that nothing contained in this proclamation shall be considered as affecting the territorial claims of the state of North Carolina. Done, &c.

Resolved, That the secretary of war be, and he is hereby ^{Indian affairs.} directed, to have a sufficient number of the troops in the service of the United States, in readiness to march from the Ohio, to the protection of the Cherokees, whenever congress shall direct the same; and that he take measures for obtaining information of the best routes for troops to march from the Ohio to Chota; and for dispersing among all the white inhabitants settled upon, or in the vicinity of, the hunting grounds secured to the Cherokees, by the treaty concluded between them and the United States, November 28, 1785, the proclamation of congress of this date.

No. 2. Articles of agreement and cession between the United States and the state of Georgia.

Articles of agreement and cession entered into on the twenty-fourth day of April, one thousand eight hundred and two, between the commissioners appointed on the part of the United States, by virtue of an act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory," and of the act supplemental to the last mentioned act,* on the one part; and the commissioners appointed on the part of the state of Georgia, by virtue of an act, entitled "An act to carry the twenty-third section of the first article of the constitution into effect," and of the act to amend the last mentioned act, on the other part.

Art. 1. The state of Georgia cedes to the United States all ^{Georgia cedes} the right, title, and claim, which the said state has to the ju- ^{territory west} risdiction and soil of the lands situated within the boundaries ^{of Chatahou-} of the United States, south of the state of Tennessee, and west ^{chee and of a} of a line beginning on the western bank of the Chatahouchee ^{certain line.} river, where the same crosses the boundary line between the United States and Spain; running thence up the said river Chatahouchee, and along the western bank thereof to the great bend thereof, next above the place where a certain creek or river, called "Uchee," (being the first considerable stream on the western side, above the Cussetas and Coweta towns,) empties into the said Chatahouchee river; thence in a direct line to Nickajack, on the Tennessee river; thence crossing the said last mentioned river, and thence running up the said Tennessee river, and along the western bank thereof, to the southern boundary line of the state of Tennessee; upon the following express conditions, and subject thereto, that is to say:

First. That out of the first net proceeds of the sales of the ^{Conditions.} lands thus ceded, which net proceeds shall be estimated by

* See the act of April 7th, 1798; and the act of May 10th, 1800.

\$1,250,000 to be paid by the United States out of first net proceeds of sales of ceded lands.

Certain settlers confirmed in their grants and in certain claims.

*See act of 3d March, 1803.

Lands thus ceded to be a common fund.

Proviso.

U. S. may dispose of, or appropriate, not exceeding five millions of acres for satisfying certain claims.

But said appropriation to be made within one year, or to be null, &c.

deducting from the gross amount of sales, the expenses incurred in surveying, and incident to the sale, the United States shall pay, at their treasury, one million two hundred and fifty thousand dollars to the state of Georgia, as a consideration for the expenses incurred by the said state, in relation to the said territory; and that for the better securing as prompt a payment of the said sum as is practicable, a land office for the disposition of the vacant lands thus ceded, to which the Indian title has been, or may hereafter be, extinguished, shall be opened within a twelvemonth after the assent of the state of Georgia to this agreement, as hereafter stated, shall have been declared.

Secondly. That all persons who, on the twenty-seventh day of October, one thousand seven hundred and ninety-five, were actual settlers within the territory thus ceded, shall be confirmed in all the grants legally and fully executed prior to that day, by the former British government of West Florida, or by the government of Spain,* and in the claims which may be derived from any actual survey or settlement made under the act of the state of Georgia, entitled "An act for laying out a district of land situate on the river Mississippi, and within the bounds of this state, into a county, to be called "Bourbon," passed the seventh day of February, one thousand seven hundred and eighty-five.

Thirdly. That all the lands ceded by this agreement to the United States shall, after satisfying the abovementioned payment of one million two hundred and fifty thousand dollars to the state of Georgia, and the grants recognized by the preceding conditions, be considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever: provided, however, that the United States, for the period and until the end of one year after the assent of Georgia to the boundary established by this agreement shall have been declared, may, in such manner as not to interfere with the abovementioned payment to the state of Georgia, nor with the grants herein before recognized, dispose of, or appropriate a portion of the said lands, not exceeding five millions of acres, or the proceeds of the said five millions of acres, or of any part thereof, for the purpose of satisfying, quieting, or compensating, for any claims other than those herein before recognized; which may be made to the said lands or to any part thereof. It being fully understood, that if an act of congress, making such disposition or appropriation, shall not be passed into a law, within the abovementioned period of one year,† the United States shall not be at liberty thereafter to cede any part of the said lands on account of claims which may be laid to the same, other than those recognized by the preceding con-

† See the act of 3d March, 1803.

dition, nor to compensate for the same; and in case of any such cession or compensation, the present cession of Georgia to the right of soil over the lands thus ceded or compensated for shall be considered as null and void; and the lands thus ceded or compensated for shall revert to the state of Georgia.

Fourthly. That the United States shall, at their own expense, extinguish, for the use of Georgia, as early as the same can be peaceably obtained, on reasonable terms, the Indian title to the county of Talassee, to the lands left out by the line drawn with the Creeks, in the year one thousand seven hundred and ninety-eight, which had been previously granted by the state of Georgia; both which tracts had formerly been yielded by the Indians; and to the lands within the forks of Oconee and Oakmulgee rivers; for which several objects, the president of the United States has directed that a treaty should be immediately held with the Creeks; and that the United States shall, in the same manner, also, extinguish the Indian title to all the other lands within the state of Georgia.

Indian title to lands in Georgia to be extinguished by the U. S.

Fifthly. That the territory thus ceded shall form a state, and be admitted as such into the union, as soon as it shall contain sixty thousand free inhabitants, or at an earlier period if congress shall think it expedient, on the same conditions and restrictions, with the same privileges, and in the same manner, as is provided in the ordinance of congress of the 13th day of July, one thousand seven hundred and eighty-seven, for the government of the Western Territory of the United States, which ordinance shall, in all its parts, extend to the territory contained in the present act of cession, that article only excepted which forbids slavery.

Territory to form a state and to be admitted into the union.

Art. 2. The United States accept the cession abovementioned, and on the conditions therein expressed; and they cede to the state of Georgia whatever claim, right, or title, they may have to the jurisdiction or soil of any lands, lying within the United States, and out of the proper boundaries of any other state, and situated south of the southern boundaries of the states of Tennessee, North Carolina, and South Carolina, and east of the boundary line herein above described, as the eastern boundary of the territory ceded by Georgia to the United States.

Cession accepted by U. States. U. S. cede to Georgia certain lands east of the line abovementioned.

Art. 3. The present act of cession and agreement shall be in full force as soon as the legislature of Georgia shall have given its assent to the boundaries of this cession; provided that the said assent shall be given within six months after the date of these presents, and provided that congress shall not, during the same period of six months, repeal so much of any former law as authorizes this agreement, and renders it binding and conclusive on the United States. But if either the assent of Georgia shall not be thus given, or if the law of the

Assent of Georgia to be given within six months.

Agreement
null, if, &c.

United States shall be thus repealed within the said period of six months, then, and in either case, these presents shall become null and void.

Signed, &c.

ACT OF GEORGIA.

An act to ratify and confirm certain articles of agreement and cession, entered into on the 24th day of April, 1802, between the commissioners of the state of Georgia on the one part, and the commissioners of the United States on the other part.

Whereas the commissioners of the state of Georgia, to wit: James Jackson, Abraham Baldwin, and John Milledge, duly authorized and appointed by, and on the part and behalf of, the said state of Georgia, and the commissioners of the United States, James Madison, Albert Gallatin, and Levi Lincoln, duly authorized and appointed by and on the part and behalf of the said United States, to make an amicable settlement of limits between the two sovereignties, after a due examination of their respective powers, did, on the 24th day of April last, enter into a deed of articles and mutual cession, in the words following, to wit:

[Here follow the articles of agreement, verbatim.]

Articles of
agreement
ratified.

Be it enacted by the senate and house of representatives of the state of Georgia, in general assembly met, and by the authority thereof, That the said deed or articles of agreement and cession be, and the same hereby is and are fully, absolutely, and amply, ratified and confirmed in all its parts; and hereby is and are declared to be binding and conclusive on the said state, her government and citizens, forever.

No. 3. Message from the president of the United States, transmitting to the senate sundry documents in relation to the various tribes of Indians within the United States, and recommending a plan for their future location and government.

TO THE SENATE OF THE UNITED STATES:

Importance of
the removal of
the Indian tribes
from the lands
they occupy
within the
several states
and territories.

Being deeply impressed with the opinion, that the removal of the Indian tribes from the lands which they now occupy within the limits of the several states and territories, to the country lying westward and northward thereof, within our acknowledged boundaries, is of very high importance to our union, and may be accomplished, on conditions, and in a manner, to promote the interest and happiness of those tribes, the attention of the government has been long drawn, with great solicitude, to the object. For the removal of the tribes with-

in the limits of the state of Georgia, the motive has been peculiarly strong, arising from the compact with that state, whereby the United States are bound to extinguish the Indian title to the lands within it, whenever it may be done peaceably and on reasonable conditions. In the fulfilment of this compact I have thought that the United States should act with a generous spirit, that they should omit nothing which should comport with a liberal construction of the instrument, and likewise be in accordance with the just rights of those tribes. From the view which I have taken of the subject, I am satisfied, that, in the discharge of these important duties, in regard to both the parties alluded to, the United States will have to encounter no conflicting interests with either: on the contrary, that the removal of the tribes, from the territory which they now inhabit, to that which was designated in the message at the commencement of the session, which would accomplish the object for Georgia, under a well digested plan for their government and civilization, which should be agreeable to themselves, would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated, that, in their present state, it is impossible to incorporate them, in such masses, in any form whatever, into our system. It has also demonstrated, with equal certainty, that, without a timely anticipation of, and provision against, the dangers to which they are exposed, under causes which it will be difficult, if not impossible, to control, their degradation and extermination will be inevitable.

The great object to be accomplished is, the removal of those tribes to the territory designated, on conditions which shall be satisfactory to themselves and honorable to the United States. This can be done only by conveying to each tribe a good title to an adequate portion of land to which it may consent to remove, and by providing for it there, a system of internal government, which shall protect their property from invasion, and, by the regular progress of improvement and civilization, prevent that degeneracy which has generally marked the transition from the one to the other state.

The object to be accomplished by the removal of these tribes; and the mode of effecting it.

I transmit, herewith, a report from the secretary of war, which presents the best estimate which can be formed from the documents in that department of the number of Indians within our states and territories, and of the amount of lands held by the several tribes within each; of the state of the country lying northward and westward thereof, within our acknowledged boundaries; of the parts to which the Indian title has already been extinguished, and of the conditions on which other parts, in an amount which may be adequate to the object contemplated, may be obtained. By this report, it appears, that the Indian title has already been extinguished to ex-

Report of the secretary of war.

tensive tracts in that quarter, and that other portions may be acquired to the extent desired, on very moderate conditions. Satisfied, I also am, that the removal proposed is not only practicable, but that the advantages attending it, to the Indians, may be made so apparent to them, that all the tribes, even those most opposed, may be induced to accede to it, at no very distant day.

A government for the Indians an object of high importance.

The digest of such a government, with the consent of the Indians, which should be endowed with sufficient power to meet all the objects contemplated, to connect the several tribes together in a bond of amity, and preserve order in each; to prevent intrusions on their property; to teach them, by regular instructions, the arts of civilized life, and make them a civilized people, is an object of very high importance. It is the powerful consideration, which we have to offer to these tribes as an inducement to relinquish the lands on which they now reside, and to remove to those which are designated. It is not doubted, that this arrangement will present considerations of sufficient force to surmount all their prejudices in favor of the soil of their nativity, however strong they may be. Their elders have sufficient intelligence to discern the certain progress of events, in the present train, and sufficient virtue, by yielding to momentary sacrifices, to protect their families and posterity from inevitable destruction. They will also perceive that they may thus attain an elevation, to which, as communities, they could not otherwise aspire.

Advantages of the proposed arrangement to the U. States.

To the United States, the proposed arrangement offers many important advantages in addition to those which have been already enumerated. By the establishment of such a government over these tribes, with their consent, we become, in reality, their benefactors. The relation of conflicting interests, which has heretofore existed between them and our frontier settlements, will cease. There will be no more wars between them and the United States. Adopting such a government, their movement will be in harmony with us, and its good effect be felt throughout the whole extent of our territory, to the Pacific. It may fairly be presumed, that, through the agency of such a government, the condition of all the tribes inhabiting that vast region, may be essentially improved: that permanent peace may be preserved with them, and our commerce be much extended.

Declaration of fundamental principles, recommended to be adopted by congress.

With a view to this important object, I recommend it to congress to adopt, by solemn declaration, certain fundamental principles, in accord with those above suggested, as the basis of such arrangements as may be entered into with the several tribes, to the strict observance of which the faith of the nation shall be pledged. I recommend it, also, to congress, to provide, by law, for the appointment of a suitable number of com-

Commissioners recom-

missioners, who shall, under the direction of the president, be authorized to visit, and explain to the several tribes, the objects of the government, and to make with them, according to their instructions, such arrangements as shall be best calculated to carry those objects into effect.

A negotiation is now depending with the Creek nation for the cession of lands held by it within the limits of Georgia, and with a reasonable prospect of success. It is presumed, however, that the result will not be known during the present session of congress. To give effect to this negotiation, and to the negotiations which it is proposed to hold, with all the other tribes within the limits of the several states and territories, on the principles and for the purposes stated, it is recommended, that an adequate appropriation be now made by congress.

JAMES MONROE.

WASHINGTON, 27th January, 1825.

DEPARTMENT OF WAR,
24th January, 1825.

In obedience to your instructions, directing a statement of the names of the Indian tribes now remaining within the limits of the different states and territories, the number of each tribe, and the quantity of land claimed by each; also, an estimate of the amount of appropriation necessary to commence the work of moving the Indians beyond the Mississippi, to be laid before you, I herewith enclose a report from Colonel M'Kenney, to whom is assigned the charge of the office of Indian affairs, which contains all of the information required, except the estimate of the sum that will be necessary to be appropriated to commence the removal.

In forming the estimate required, it will be necessary to take a summary view of the number and position of the several tribes to be removed, and to form a plan in detail for their removal.

It appears, by the report enclosed, that there are in the several states and territories, not including the portion of Michigan territory west of Lake Michigan, and north of the state of Illinois, about 97,000 Indians, and that they occupy about 77,000,000 of acres of land.

The arrangement for the removal, it is presumed, is not intended to comprehend the small remnants of tribes in Maine, Massachusetts, Connecticut, Rhode Island, Virginia, and South Carolina, amounting to 3,023. To these also may be added the remnants of tribes remaining in Louisiana, amounting to 1,313, as they are each of them so few in number, that, it is believed, very little expense or difficulty will be found in their removal, making together 4,336, which, subtracted from the

ended to be
appointed, &c.

Prospects of
success with
the Creek na-
tion.

For this and
other objects,
appropriation
recommend-
ed.

Report of J.
C. Calhoun,
secretary of
war, referred
to in the pre-
ceding mes-
sage of the
president.

Summary
view of the
number and
position of the
several tribes,
&c. and a plan
for their re-
moval.

97,000, the entire number in the states and territories, will leave 92,664 to be removed. Of these, there are residing in the northern parts of the states of Indiana, Illinois, in the peninsula of Michigan, and New York, including the Ottawas in Ohio, about 13,150; which, I would respectfully suggest, might be removed, with advantage, to the country west of Lake Michigan, and north of the state of Illinois. The climate and the nature of the country are much more favorable to their habits, than that west of the Mississippi; to which may be added, that the Indians in New York have already commenced a settlement at Green Bay, and exhibit some disposition to make it a permanent one; and that the Indians referred to in Indiana, Illinois, in the peninsula of Michigan, and Ohio, will find in the country designated, kindred tribes, with whom they may be readily associated. These considerations, with the greater facility with which they could be collected in that portion of the country, compared with that of collecting them west of the Mississippi, form a strong inducement to give it the preference. Should the proposition be adopted, the Indians in question might be gradually collected, as it became necessary, from time to time, to extinguish the Indian title in Indiana, Illinois, and Michigan, without incurring any additional expense, other than what is usually incidental to such extinguishment. Deducting, then, the Indians residing in the north-western parts of Indiana, Illinois, in Michigan, and New York, with the Ottawas in Ohio, amounting to 13,150, from 92,664, will leave but 79,514. It is proper to add, that a late treaty with the Quapaws stipulates, and provides, for their removal, and that they may also be deducted from the number, for whose removal provision ought to be made. They are estimated at 700, which, deducted from 79,514, will leave 78,814 to be removed west of the state of Missouri and territory of Arkansas, should the views of the department be adopted.

Of these, there are estimated to reside in the states of North Carolina, Georgia, Tennessee, Alabama and Mississippi, 53,625, consisting of Cherokees, Creeks, Choctaws, and Chickasaws; and claiming about 33,573,176 acres, including the claim of the Cherokees, in North Carolina; 3,082 in Ohio, and in the southern and middle parts of Indiana and Illinois, consisting of Wyandots, Shawanees, Senecas, Delawares, Kaskaskias, and Miami and Eel Rivers; 5,000 in Florida, consisting of Seminoles and remnants of other tribes; and the remainder in Missouri and Arkansas, consisting of Delawares, Kickapoos, Shawanees, Weas, Ioways, Piankeshaws, Cherokees, Quapaws, and Osages.

Tract of country to be acquired for the

The next subject of consideration will be, to acquire a sufficient tract of country west of the state of Missouri and territory of Arkansas, in order to establish permanent settlements,

in that quarter, of the tribes which are proposed to be removed. The country between the Red River and the Arkansas has already been allotted to the Choctaws, under the treaty of the 18th October, 1820. The country north of the river Arkansas, and immediately west of the state of Missouri, is held almost entirely by the Osages and Kanzas. The principal settlement of the former being on the Osage river, not far west of the western boundary of Missouri; and of the latter, on the Missouri river, near Cow Island. There is a band of the Osages situated on the Verdigris, a branch of the Arkansas. Governor Clark has been already instructed to take measures to remove them from the Verdigris, to join the other bands on the Osage river. To carry this object into effect, and to extinguish the title of the Osages upon the Arkansas, and in the state of Missouri; and also to extinguish the title of the Kanzas to whatever tract of country may be necessary to effect the views of the government, will be the first object of expediture; and would require an appropriation, it is believed, of not less than 30,000 dollars. After this is effected, the next will be, to allot a portion of the country to each of the tribes, and to commence the work of removal. The former could be effected, by vesting in the president discretionary power to make the location; and the latter, by commencing with the removal of the Cherokees, Piankeshaws, Weas, Shawanees, Kickapoos, and Delawares, who now occupy different tracts of country, lying in the northwestern portion of the Arkansas territory, and the southwestern portion of the state of Missouri. It is believed that the Cherokees, to whom has been allotted a country lying between the Arkansas and White rivers, will very readily agree to removing their eastern boundary farther west, on the consideration, that, for the lands thereby ceded, they may have assigned to them an equal quantity farther west, as they have evinced a strong disposition to prevent the settlement of the whites to the west of them. It is probable, that this arrangement could be effected by an appropriation of a few thousand dollars, say five thousand, for the expense of holding the treaty. Nor is it believed that there will be any difficulty in inducing the Piankeshaws, Weas, Shawanees, Kickapoos, and Delawares, to occupy a position, that may be assigned to them west of the state of Missouri; or that the operation will be attended with any great expense. The kindred tribes, in the states of Ohio and Indiana, including the Wyandotts, the Senecas, and the Miamies, and Eel Rivers, in those states; and the Kaskaskias, in Illinois, it is believed, might be induced, without much difficulty, to join them, after those now residing in Missouri, are fixed in their new position, west of that state. Of the sum that will be necessary for this purpose, it is difficult to form an estimate.

permanent settlement of the tribes proposed to be removed.

Tribes or nations for which lands may be acquired.

\$30,000 to be required for this object.

Removal of Cherokee eastern boundary farther west.

\$5,000 for holding treaty with Cherokees for this object.

No difficulty in inducing the Piankeshaws, Weas, &c. to remove.

Estimate of
expense for
this object.

These tribes amount to 3,082. The expense of extinguishing their title to the lands occupied by them, will probably be high in comparison with the price which has been usually given for lands in that quarter, as they, particularly the Indians in Ohio, have made some advances in civilization, and considerable improvements on their lands. The better course would be, to remove them gradually, commencing with those tribes which are most disposed to leave their present settlements, and, if this arrangement should be adopted, an appropriation of 20,000 dollars would be sufficient to commence with.

\$20,000 suffi-
cient to begin
with.

Disposition of
certain tribes
to join Chero-
kees on the
Arkansas.

It may, however, be proper to remark, that these tribes, together with those in New York, have indicated a disposition to join the Cherokees on the Arkansas, and that a deputation of the former, with a deputation from those Cherokees, are now on their way to the seat of government, in order to make some arrangements to carry the proposed union into effect. Should it be accomplished, it would vary the arrangement which has been suggested in relation to them, but will not, probably, materially vary the expense.

Removal of
the Indians in
Florida, and
N. C. &c.

It only remains now to consider the removal of the Indians in Florida, and the four southern tribes residing in North Carolina, Georgia, Tennessee, Alabama, and Mississippi.

Indians in
Florida.

It is believed that immediate measures need not be taken with regard to the Indians in Florida. By the treaty of the 18th September, 1823, they ceded the whole of the northern portion of Florida, with the exception of a few small reservations, and have had allotted to them the southern part of the peninsula; and it is probable that no inconvenience will be felt for many years, either by the inhabitants of Florida, or the Indians, under the present arrangement.

The four
southern
tribes.

Of the four southern tribes, two of them, the Cherokees and Choctaws, have already allotted to them a tract of country west of the Mississippi. That which has been allotted to the latter, is believed to be sufficiently ample for the whole nation, should they emigrate; and if an arrangement, which is believed not to be impracticable, could be made between them and the Chickasaws, who are their neighbours, and of similar habits and dispositions, it would be sufficient for the accommodation of both. A sufficient country should be reserved to the west of the Cherokees on the Arkansas, as a means of exchange with those who remain on the east. To the Creeks might be allotted a country between the Arkansas and Canadian river, which limits the northern boundary of the Choctaw possessions in that quarter. There is now pending with the Creeks a negotiation, under the appropriation of the last session, with a prospect, that the portion of that nation which resides within the limits of Georgia, may be induced, with the consent of the nation, to cede the country which they occupy

for a portion of the one which it is proposed to allot for the Creek nation on the west of the Mississippi. Should the treaty prove successful, its stipulations will provide for the means of carrying it into effect, which will render any additional provision at present, unnecessary. It will be proper to open new communications with the Cherokees, Choctaws, and Chickasaws, for the purpose of explaining to them the views of the government, and inducing them to remove beyond the Mississippi, on the principles and conditions which may be proposed to the other tribes. It is known, that there are many individuals of each of the tribes, who are desirous of settling west of the Mississippi, and should it be thought advisable, there can be no doubt, that if, by an adequate appropriation, the means were afforded the government of bearing their expense, they would emigrate. Should it be thought, that the encouragement of such emigration is desirable, the sum of 40,000 dollars, at least, would be required to be appropriated for this object, to be applied under the discretion of the president of the United States. The several sums which have been recommended to be appropriated, if the proposed arrangements should be adopted, amount to 95,000 dollars. The appropriation may be made either general or specific, as may be considered most advisable.

Individuals of these tribes desirous of removing if adequate encouragement were afforded.

\$40,000 required to give such encouragement.

Amount of appropriations required, \$95,000.

I cannot, however, conclude without remarking, that no arrangement ought to be made which does not regard the interest of the Indians, as well as our own, and that to protect the interest of the former, decisive measures ought to be adopted to prevent the hostility, which must almost necessarily take place if left to themselves, among tribes hastily brought together, of discordant character; and many of which are actuated by feelings far from being friendly towards each other. But the preservation of peace between them will not alone be sufficient to render their condition as eligible in their new situation, as it is in their present. Almost all of the tribes proposed to be affected by the arrangement, are more or less advanced in the arts of civilized life, and there is scarcely one of them, which have not the establishment of schools in the nation affording at once the means of moral, religious, and intellectual improvement. These schools have been established for the most part by religious societies, with the countenance and aid of the government, and on every principle of humanity the continuance of similar advantages of education ought to be extended to them in their new residence. There is another point which appears to be indispensable to be guarded, in order to render the condition of this race less afflicting. One of the greatest evils to which they are subject, is that incessant pressure of our population, which forces them from seat to seat, without allowing time for that moral and intellectual im-

In any arrangement to be made, interests of the Indians to be regarded as well as our own.

Preservation of peace.

Schools to be continued.

Evils of the pressure of our population.

Indians to be solemnly assured, that the country given them is to be permanently theirs. System of government to be established.

The favorable effect of these views, if adopted, on the Indians.

Disposition.

Plan for effecting the proposed arrangement.

President to be vested with authority to call a convention.

Additional sum of \$30,000 required

provement, for which they appear to be naturally eminently susceptible. To guard against this evil, so fatal to the race, there ought to be the strongest and the most solemn assurance, that the country given them should be theirs, as a permanent home for themselves and their posterity, without being disturbed by the encroachments of our citizens. To such assurance, if there should be added a system by which the government, without destroying their independence, would gradually unite the several tribes under a simple, but enlightened system of government and laws, formed on the principles of our own, and to which, as their own people would partake in it, they would, under the influence of the contemplated improvement, at no distant day, become prepared, the arrangements which have been proposed would prove to the Indians and their posterity a permanent blessing. It is believed that, if they could be assured that peace and friendship would be maintained among the several tribes; that the advantages of education which they now enjoy would be extended to them; that they should have a permanent and solemn guarantee for their possessions, and receive the countenance and aid of the government for the gradual extension of its privileges to them, there would be among all the tribes a disposition to accord with the views of the government. There are now in most of the tribes, well educated, sober, and reflecting individuals, who are afflicted at the present condition of the Indians, and despondent at their future prospects. Under the operation of existing causes, they behold the certain degradation, misery, and even the final annihilation of their race, and no doubt would gladly embrace any arrangement which would promise to elevate them in the scale of civilization, and arrest the destruction which now awaits them. It is conceived that one of the most cheap, certain, and desirable modes of effecting the object in view, would be, for congress to establish fixed principles, such as have been suggested as the basis of the proposed arrangement, and to authorize the president to convene, at some suitable point, all of the well informed, intelligent, and influential individuals of the tribes to be affected by it, in order to explain to them the views of the government, and to pledge the faith of the nation to the arrangements, that might be adopted. Should such principles be established by congress, and the president be vested with suitable authority to convene the individuals as proposed, and suitable provision be made to meet the expense, great confidence is felt, that a basis of a system might be laid, which, in a few years, would entirely effect the object in view, to the mutual benefit of the government and the Indians, and which, in its operations, would effectually arrest the calamitous course of events to which they must be subject without a radical change in the present system. Should

it be thought advisable to call such a convention, as one of the means of effecting the object in view, an additional appropriation of 30,000 dollars will be required; making in the whole, 125,000 dollars to be appropriated.

All of which is respectfully submitted.

J. C. CALHOUN.

To the PRESIDENT of the United States.

for the said convention.
Whole amount required, \$125,000.

DEPARTMENT OF WAR,

Office of Indian Affairs, Jan. 10, 1825.

SIR: I have the honor, herewith, to submit, in compliance with your directions, a table containing a statement of the names of the Indian tribes now remaining within the limits of the different states and territories; the number of each tribe; and the quantity of land claimed by each.

Report of col. McKenney, referred to in the preceding report of Mr. Calhoun.

There is no land assigned, as will be seen on reference to the table, to the Indians in Louisiana; yet, it is believed, the Caddoes have a claim, but to what extent is not known. So, also, have the Cherokees, (whose numbers are not known,) to a tract in the northwest corner of the state of North Carolina; which, it is believed, does not exceed 200,000 acres. In New Jersey, Pennsylvania, and perhaps in Maryland, a few Indians are remaining, but how many, or what quantity of land is owned by them, if any, there are no means of ascertaining.

There are now remaining within the limits of the different states and territories, as is shewn by the table, sixty-four tribes and remnants of tribes of Indians, whose "names" and "numbers" are given: who number, in the aggregate, 129,266 souls; and who claim 77,402,318 acres of land.

It will be seen by adverting to the table, that the Indians residing north of the state of Illinois, east of the Mississippi, and west of the lakes, are comprehended in the estimate of the number in Michigan territory; although, in estimating the quantity of land held by Indians in that territory, the portion, only, so held in the peninsula of Michigan, is estimated. It was found impossible, from any documents in possession of this office, to distinguish the number of Chippeways and Ottawas residing in the peninsula of Michigan from those residing on the west side of Lake Michigan. It is, however, believed, that the whole number residing in the peninsula, does not exceed 3,500; and these, as has been stated, are principally of the Chippewa and Ottawa tribes.

It may be proper also to remark, that of the 6,400 Sacs and Foxes who are included in the estimate as part of the 129,266; and who occupy lands on both sides the Mississippi, not more

than one-third of that number are supposed to reside on the east side; and, of the 5,200 Osages, who, by the table, are assigned to Missouri and Arkansas, it is believed, not more than one-third of that number reside within the state of Missouri and territory of Arkansas. If, therefore, the number assumed for the peninsula of Michigan, be correct, and two-thirds of the Sacs and Foxes, as is believed to be the fact, reside on the west of the Mississippi; and two-thirds of the Osages west of Missouri, and north of Arkansas, there will remain "within the limits of the different states and territories,"—confining the Michigan territory to the peninsula—97,384 Indians, possessing, (if the 200,000 acres, which are believed to be claimed by the Cherokees in North Carolina; be added,) 77,602,318 acres of land.

In obtaining this information, resort has been had, for the "names" and "numbers" of the Indian tribes, to the reports to this office, and to other sources of information which are deemed to be the most accurate; and, for the quantity of land claimed by them, to the files of this office; to the general land office; and to computations carefully made from the best maps, by Col. Roberdeau, of the topographical bureau.

The 4,000,000 of acres assumed as the quantity claimed by the Cherokees in Arkansas, although but an estimate, is believed to be nearly correct. The precise quantity, however, cannot be ascertained, until it is known how much they ceded on this side the Mississippi, for which, by the treaty of 1817, they are to receive an equal number of acres on the other.

I have the honor to accompany this with a note from Col. Roberdeau, in relation to the difference between his estimate of last year, of the lands claimed in Georgia, and his recent corrected computation of them.

I have the honor to be, very respectfully,

Your most obedient servant,

THOS. L. McKENNEY.

To the hon. the secretary of war.

TOPOGRAPHICAL BUREAU,

January 10th, 1825.

Estimate of
the quantity of
lands owned
by the Chero-
kees and
Creeks in
Georgia.

The quantity of land in the state of Georgia, not ceded to the United States by Indians, was, last year, reported at 10,240,000 square acres; upon a review of the calculations, and having more correct documents than were then referred to, the whole quantity in the state appears to be 9,537,920 acres, of which 5,292,160 are of the Cherokees, and 4,245,760 of the Creeks, as nearly as can be computed.

I. ROBERDEAU,

Lt. col. Top. Engineers.

Col. THOS. L. McKENNEY,
Indian department.

STATEMENT, showing the Names and Numbers of the different Tribes of Indians now remaining within the limits of the several States and Territories, and the quantity of Land claimed by them respectively.

Names of the tribes.	States or territories in which located.	Numbers of each tribe.	Number in each state or territory.	Number of acres claimed by each tribe.	REMARKS.
St. John's Indians Passamaquoddy Penobscot	Maine do do	300 379 277	- - - 956	- 100 92,160	No information as to their lands.
Marshpee Herring Pond Martha's Vineyard Troy	Massachusetts do do do	330 40 340 50	- - - 750	- - - -	All the Indians in this state reside on their respective reservations, at the places by which they are designated. The quantity of land occupied by them is not known, nor is there any information in this office by which it can be ascertained.
Narragansett Mohegan Stonington Groton	Rhode Island Connecticut do do	- 300 50 50	420 - - 400	3,000 4,000 300 -	No information as to their lands.
Senecas Tuscaroras Onondagas Cayugas Stockbridge Brotherton St. Regis Indians	New York do do do do do do	2,325 253 1,096 446 90 273 360 300	- - - - - - - 5,143	- - - - - - 246,675 -	These Indians own and possess together sixteen reservations of land, containing in the whole, according to the report of the agent, on file in this office, about the number of acres stated.
Nottawaw Catawbas	Virginia S. Carolina	- -	47 450	27,000 144,000	

STATEMENT—Continued.

Names of the tribes.	States or territories in which located.	Numbers of each tribe.	Number in each state or territory.	Number of acres claimed by each tribe.	REMARKS.
Wyandotts	Ohio	542	-	163,840	{ The quantity of land claimed by these tribes is contained in several reservations, secured to them respectively, by treaty. Besides these, there are a number of other reservations secured separately to individual Indians, containing, together, 16,200 acres; making the whole quantity claimed in this state, 409,501 acres, according to information obtained from general land office.
Shawanees	do	800	-	117,615	
Senecas	do	551	-	55,505	
Delawares	do	80	-	5,760	
Ottawas	do	377	-	50,581	
Wyandotts	Michigan terr.	-	2,350	-	{ Those tribes reside, in some degree, promiscuously, and the number stated comprehends all those inhabiting the country north of Illinois, and between Lake Michigan and Mississippi rivers, as well as those residing in the peninsula formed by Lakes Erie and Michigan, and the northern boundary of Indiana. The quantity of land mentioned is that claimed by the Indians in the peninsula only; but in what proportion by the respective tribes, cannot be ascertained.
Pottawatamias	do	-	-	-	
Chippewas and Ottawas, the former by far the most numerous	do	-	-	7,057,920	
Menomenees	do	18,473	-	-	
Winnebagoes	do	3,900	-	-	
		5,800	-	28,316	
Miami and Eel river Indians	Indiana	-	1,073	10,104,000	{ A part of these lands is claimed by the Pottawatamias and Chippewas, (who reside partly in this state and in Illinois) but in what proportion there are no means of ascertaining. This is the whole quantity of land claimed by Indians in this state, including the Pottawatamias and Chippewas, but there are no means of distinguishing the quantity owned by each tribe. The number of Sauks and Foxes, embraces those on both sides of the Mississippi; there being no means of ascertaining the particular number of them in Illinois.
Menomenees	Illinois	270	-	-	
Kaskaskias	do	36	-	5,314,560	
Sauks and Foxes	do	6,400	6,706	-	
Pottawatamias and Chippewas	Indiana & Illin.	-	3,900	-	

STATEMENT—Continued.

Names of the tribes.	States or territories in which located.	Numbers of each tribe.	Number in each state or territory.	Number of acres claimed by each tribe.	REMARKS.
Ioways	- Missouri	1,100	-	-	No information as to the lands claimed by these Indians.
Osages	- Missouri & Arkansas terr.	5,200	-	3,491,840	The Osages reside partly in Missouri and in Arkansas, and the greater portion west of both. Of the lands stated as claimed by them, 2,737,920 acres are in the former, and 753,920 acres in the latter.
Piankeshaws	- do	207	-	-	No information as to their lands.
Cherokees	- Arkansas terr.	6,000	-	4,000,000	The Cherokees claim about this quantity of land in this territory, under treaties of 1817 and 1819; the precise quantity not yet ascertained.
Quapaws	- do	700	-	-	These Indians have recently sold out all their claim, and are about to remove beyond the limits of the territory.
Chociwaws	- do	-	18,917	8,858,560	Very few or none of this tribe reside in the territory; but they claim in it the quantity of land stated under the treaty of 18th Oct. 1820.

RECAPITULATION.

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States and territories.	Whole number of Indians.	Whole quantity of land claimed.	REMARKS.
		ACRES.	
Maine	956	92,260	<p>{ The number of Indians embraces those in the country west of Lake Michigan, as well as those in the peninsula of Michigan; the information being such as not to admit of a separate enumeration.</p> <p>{ Some of the Indians claiming lands in these states reside partly in both; the particular number in either cannot therefore be stated.</p> <p>{ The Indians claiming lands in these states, do not all reside in any one of them, except the Chickasaws; and it cannot therefore be stated what is the particular number residing in each state.</p> <p>{ The Osages and Piankeshaws are scattered in Missouri and Arkansas, and most of the former beyond the limits of either; it cannot therefore be stated what is the particular number of Indians in either.</p>
Massachusetts	750		
Rhode Island	420	3,000	
Connecticut	400	4,300	
New York	5,143	246,675	
Virginia	47	27,000	
S. Carolina	450	144,000	
Ohio	2,350	409,501	
Michigan terr.	28,316	7,037,920	
Indiana	11,579	{ 10,104,000	
Illinois		{ 5,314,560	
Georgia	53,625	9,537,920	
Alabama		7,372,576	
Tennessee		1,055,680	
Mississippi	5,000	15,705,000	
Florida terr.		4,032,640	
Louisiana			
Missouri	16,917	{ 2,782,726	
Arkansas terr.		{ 13,612,560	
	199,266	77,402,318	

DEPARTMENT OF WAR, *Office Indian affairs, Jan. 10, 1895.*
THOS. L. M'KENNEY.

No. 4. Letter and Report from the secretary of war, to the hon. John Cocke, chairman of the committee on Indian affairs, accompanied by a bill for the preservation and civilization of the Indian tribes within the United States.

LETTER.

DEPARTMENT OF WAR,
February 3d, 1826.

SIR: The duty assigned me by your letter of —, enclosing “a bill for the preservation and civilization of the Indian tribes within the United States,” is one both delicate and important. I have discharged it to the best of my judgment, by preparing, and herewith sending you, the project of a bill for your consideration, and a report, in elucidation of its purposes. I seek shelter from what otherwise would be a painful responsibility, under the superior wisdom of those to whose judgment it is committed.

I have the honor to be,

Your obedient servant,

JAMES BARBOUR.

HON. JOHN COCKE,

Chairman of the committee on Indian affairs.

REPORT.

DEPARTMENT OF WAR,
February 3d, 1826.

Condition of
the Indians,
and their fu-
ture destiny.

The condition of the aborigines of this country, and their future destiny, have long engaged the attention of the philosopher and statesman, inspiring an interest correspondent to the high importance of the subject. The history of the past presents but little on which the recollection lingers with satisfaction. The future is not more cheering, unless resort be speedily had to other councils than those by which we have heretofore been governed. From the first discovery of America to the present time, one master passion, common to all mankind, that of acquiring land, has driven, in ceaseless succession, the white man on the Indian. The latter reluctantly yielding to a force he could not resist, has retired from the ocean to the mountains, and from the mountains to more inhospitable recesses, wasting away by sufferings, and by wars, foreign and intestine, till a wretched fragment only survives, of the numerous hordes once inhabiting this country, whose portion is to brood in grief over their past misfortunes, or to

look in despair on the approaching catastrophe of their impending doom.*

It were now an unprofitable task to inquire, on what principle the nations of Europe were justified in dispossessing the original proprietor of his birthright. They brought with them their own maxims, which recognized power as the only standard of right, and fraud and force as perfectly legitimate in the acquisition of territory. It has been done, and time has confirmed the act.

Principle on which Indians were dispossessed of their right.

In the contest for dominion, the milder qualities of justice and clemency were disregarded. But that contest has long since ceased, especially in the United States, where, on the one side, are seen a great people, familiar with arts and arms, whose energies are increased by union, and directed by an efficient government; on the other, a few ignorant and divided tribes of barbarians. It is necessary only for the former to express its will, to receive or enforce immediate submission from the latter. The suggestions of policy or necessity should no longer stifle the claims of justice and humanity. It is now, therefore, that a most solemn question addresses itself to the American people, and whose answer is full of responsibility. Shall we go on quietly in a course, which, judging from the past, threatens their extinction, while their past sufferings and future prospects, so pathetically appeal to our compassion? The responsibility to which I refer, is what a nation owes to itself, to its future character in all time to come. For, next to the means of self-defence, and the blessings of free government, stands, in point of importance, the character of a nation. Its distinguishing characteristics should be, justice and moderation. To spare the weak is its brightest ornament. It is, therefore, a source of the highest gratification, that an opportunity is now offered the United States to practice these maxims, and give an example of the triumph of liberal principles, over that sordid selfishness which has been the fruitful spring of human calamity.

Ascendency of the U. S. over the Indians.

Responsibility of the government, to pursue a just and humane policy.

It is the province of history to commit to its pages the transactions of nations. Posterity look to this depository with the most intense interest. The fair fame of their ancestors, a most precious inheritance, is to them equally a source of pride, and a motive of continued good actions. But she performs her province with impartiality. The authority she exercises in the absence of others, is a check on bad rule. The tyrant and the oppressor see, in the character of their prototypes, the sentence posterity is preparing for them. Which side of the picture shall we elect? for the decision is left to ourselves.

Impartiality of history.

* The whole number of Indians within the United States is estimated, in round numbers, at 300,000; of whom 120,000 reside in the states and territories.

Shall her record transmit the present race to future generations, as standing by, insensible to the progress of the desolation which threatens the remnant of this people; or shall these unfriendly characters give place to a generous effort which shall have been made to save them from destruction. While deliberating on this solemn question, I would appeal to that high Providence, whose delight is justice and mercy, and take council from the oracles of his will, revealed to man, in his terrible denunciations against the oppressor.

Review of the
past policy of
the govern-
ment and its
effects.

In reviewing the past, justice requires that the humane attempts of the Federal Government, coeval with its origin, should receive an honorable notice. That they have essentially failed, the sad experience of every day but too strongly testifies. If the original plan, conceived in the spirit of benevolence, had not been fated to encounter that as yet unabated desire, to bereave them of their lands, it would, perhaps, have realized much of the hopes of its friends. So long, however, as that desire continues to direct our councils, every attempt must fail. A cursory review is all that is necessary to show the incongruity of the measures we have pursued, and the cause of their failure.

Missionaries are sent among them to enlighten their minds, by imbuing them with religious impressions. Schools have been established by the aid of private, as well as public donations, for the instruction of their youths. They have been persuaded to abandon the chase—to locate themselves, and become cultivators of the soil—implements of husbandry, and domestic animals, have been presented them, and all these things have been done, accompanied with professions of a disinterested solicitude for their happiness. Yielding to these temptations, some of them have reclaimed the forest, planted their orchards, and erected houses, not only for their abode, but for the administration of justice, and for religious worship. And when they have so done, *you* send *your* agent to tell them they must surrender their country to the white man, and recommit themselves to some new desert, and substitute as the means of their subsistence the precarious chase for the certainty of cultivation. The love of our native land is implanted in every human bosom, whether he roams the wilderness, or is found in the highest state of civilization. This attachment increases with the comforts of our country, and is strongest when these comforts are the fruits of our own exertions. We have imparted this feeling to many of the tribes by our own measures. Can it be matter of surprise, that they hear, with unmixed indignation, of what seems to them our ruthless purpose of expelling them from their country, thus endeared? They see that our professions are insincere—that our promises have been broken; that the happiness of the In-

dian is a cheap sacrifice to the acquisition of new lands; and when attempted to be soothed by an assurance that the country to which we propose to send them is desirable, they emphatically ask us, what new pledges can you give us that we shall not again be exiled when it is your wish to possess these lands? It is easier to state than to answer this question. A regard to consistency, apart from every other consideration, requires a change of measures. Either let him retain and enjoy his home, or, if he is to be driven from it, abstain from cherishing illusions, we mean to disappoint, and thereby make him to feel more sensibly the extent of his loss.

Having pointed out the incongruities of this system, so unhappily organized, that it contains within itself the causes of its own abortion, I proceed to review the more modern plans of removing the different tribes from the east to the west of the Mississippi. That this plan originated in that benevolence for which its author is so distinguished, is cheerfully admitted; but that *it* too, is obnoxious to many objections, I fear, is no less true. The first objection is the impracticability of its execution, if that is to depend on treaties alone. Some of the tribes in whose removal we are most deeply concerned, have peremptorily refused to abandon their native land. Those who may be persuaded to emigrate, will carry with them the same internal feuds which are so destructive to their kind, and for which no remedy is proposed. Different tribes are to be placed in juxtaposition without a *controlling* power, between which, hereditary and implacable hostilities have raged, and which are not likely to be appeased, till the one or the other is exterminated. But these difficulties surmounted, in what relation are they to stand to the United States? The history of every age teaches us how difficult it has been to maintain tranquillity between contemious and independent states—through civilized. How must that difficulty be increased, when one of the parties is savage? Thefts and murders, and numberless causes of discord, must inevitably precipitate collisions which cannot but prove fatal to the weaker party. And the same propensity which has conducted the white population to the remote regions they now occupy, will continue to propel the tide, till it is arrested only by the distant shores of the Pacific. Before this resistless current, the Indian must retire till his name will be no more. It would be, however, worse than useless to waste *your* time in multiplying objections to existing plans—I have therefore, supposing it to be within the duty assigned me by the committee, submitted the project of a bill, with such provisions as I think, under all the circumstances, are best calculated to effect the desired object.

Review of the modern plans of removing the Indians west of the Mississippi.

Project of a bill submitted.

In performing the service assigned by the committee, whose wishes alone would have been a sufficient inducement on my

Extinguishment of Indian titles, and difficulty of effecting it by treaties.	<p>part to render a cheerful compliance, I have a further reason—a desire to comply with the requests of the people of the United States residing in the neighborhood of Indian settlements. The department is continually pressed with applications, from New York to Arkansas, to adopt measures to extinguish the Indian titles to their lands, and remove the Indians. An unavailing attempt to obtain a cession of their lands is sometimes ascribed by the disappointed to ignorance, or a want of zeal, or some worse motive on the part of agents employed—and new attempts to negotiate are solicited with unabated importunity. The obstinacy of the Indians, arising from their partial civilization, whose removal we most wish, fully equals the zeal of those who wish to procure their lands—and hence, an insuperable difficulty presents itself of effecting, by <i>treaties</i>, the object which is so desirable, of putting an end to this fruitful source of collision.</p>
Plan not free from objections.	<p>I am not arrogant enough to suppose that it is free from all objections. For I am aware that no plan, which human ingenuity could suggest, would be altogether exempt, as the subject is encompassed on every side with difficulties. The utmost reach of my hopes is limited to a diminution of these difficulties, both in number and extent. It is only by comparison I am satisfied that my scheme can solicit a preference. I submit the outlines of the bill, the principles of which are the following:</p>
Outlines of the bill.	<p>First. The country west of the Mississippi, and beyond the states and territories, and so much on the east of the Mississippi as lies west of lakes Huron and Michigan, is to be set apart for their exclusive abode.</p> <p>Secondly. Their removal by individuals, in contradistinction to tribes.</p> <p>Thirdly. A territorial government to be maintained by the United States.</p> <p>Fourthly. If circumstances shall eventually justify it, the extinction of tribes, and their amalgamation into one mass, and a distribution of property among the individuals.</p> <p>Fifthly. It leaves the condition of those that remain unaltered.</p>
Remarks.	<p>In offering a few remarks upon these different heads, I beg to call the attention of the committee to the leading principle of the bill, namely: That nothing is proposed to be done, in reference to the Indians, <i>without their own consent</i>. In making this a preliminary to our acting, I have been influenced rather by a desire to relieve the proposed plan from objections, than from any settled conviction of its necessity. The relations between the United States and the Indians, are so entirely peculiar, that it is extremely difficult to refer to any well settled principles by which to ascertain the extent of our au-</p>
Consent of the Indians.	
Authority of the government over them.	

thority over them. Our ancestors, as well as every European nation that seized upon their country, denounced them as heathens, utterly out of the pale of civil society, and as a consequence, disposed of them according to their will and pleasure. From the adoption of the federal government, however, they were regarded, to some extent, as an independent people. Hence, treaties were made with them for a surrender of the usufruct of their lands. On the other hand, they were denied the exercise of this right as it respects other nations, and were even restrained from selling their lands to our own citizens. And beside regulating their trade, congress went so far as to punish, by the decisions of our own courts, for offences committed within or without their own territories. In forbearing to go further, it is left to conjecture, whether it arose from a want of authority, or the expediency of exercising it. To avoid, therefore, any difficulty which different opinions might produce on this point, their consent has been made necessary by the bill, as a requisite to its operation.

The first provision looks to the procurement of a country for future residence beyond the settlements of the whites. Fortunately, that object can be easily effected. In adopting the limits prescribed in the bill, I have pursued the plan heretofore proposed. In including the lands as a part lying between lakes Michigan and Huron, and the river Mississippi, I have been governed as well by the above consideration, as the fact that it is now in the occupancy of the Indians, and, from its natural features, is not desirable at present for the habitation of our citizens.

The principal recommendation of this plan, next to the advantages to be gained by ourselves, is, that the future residence of these people will be forever undisturbed—that there, at least, they will find a home and a resting place. And being exclusively under the control of the United States, and, consequently, free from the rival claims of any of the states, the former may plight its most solemn faith that it shall be theirs forever, and this guarantee is therefore given.

The second provision referred to is that of effecting their removal by portions less than whole tribes, when the latter is impracticable. Some of the tribes, in whose immediate removal we are particularly interested, have expressed a fixed determination against an exchange of their lands. This difficulty is said to arise from the influence of their chiefs, who have appropriated the most fertile lands to themselves, and have become wealthy. Their consent to remove cannot be obtained; but the majority, or large portions of the tribe who have no such inducement to remain, it is asserted by those who know, or pretend to know their wishes, may be persuaded to emigrate. By the proposed plan the fact can be ascertain-

Country for
the future re-
sidence of the
Indians.

Undisturbed
and permanent
possession to be
guaranteed to
them by the
U. S.

Removal by
porties less
than tribes.

ed, and whatever portion may be willing to go, will, under this provision, be removed.

Territorial government for the Indians.

The third object of the bill is, the establishment of a territorial government by the United States for their protection and their civilization. The bill proposes a governor, three judges, and a secretary, to be appointed by the president, with the advice and consent of the senate, and such modifications in detail as the president shall ordain, subject to the approbation of congress.

Organization of the government to be left to the president.

I have already intimated, in a former part of this report, the consequences of sending the Indians to the country destined for their final abode, without some controlling authority. Without this, they will be exposed to endless mischiefs. It is not necessary to prescribe particularly in the bill their government. Its organization may safely be deposited in the hands of the president, subject to the control of congress. I will, nevertheless, suggest, that, as soon as the civilization of the Indians would admit of it, I would give them a legislative body, composed of Indians to be selected in the early stages by the president, and eventually to be elected by themselves, as well for the purpose of enacting such laws as would be agreeable to themselves, as for the purpose of exciting their ambition. Distinction being the object of universal pursuit with man, whether barbarous or civilized, it is presented to the Indians in this scheme. They will be taught, that there is another road to it than through blood and slaughter. The objection on the part of the most intelligent, to an amalgamation with the whites, is, that they can never rise to offices of trust and profit. Here this difficulty will be removed. In time, let us indulge the hope, that they will be competent to self government, when they may be left entirely to themselves, and when, in consequence, their ambition will find its proper theatre, and be gratified; then none will have any adequate motive to remain among the whites.

Division of lands.

A fourth object of the bill is, the division of their lands in such manner, and at such times, as the president may think proper. The object of this provision is, to give the power to the president, when, in his judgment, circumstances will justify it, to distribute the land among the individuals by metes and bounds, in contradistinction to its being held in common by a tribe. Nothing, it is believed, has had a more injurious influence on our efforts to improve the condition of the Indians, than holding their land in *common*. Whether such a system may succeed on a very limited scale, when under a beneficent patriarchal authority, is yet to be ascertained. Past experience has left the strongest evidence against its practicability under less favorable auspices. The attempt of that kind in the first settlement of Virginia, and, I believe, in the early

settlements elsewhere, conducted the colonists to the very brink of ruin, from which they were rescued only by abandoning it. The distribution of the soil, and the individuality imparted to the avails of its cultivation, history informs us, instantly gave a new and favorable aspect to their condition. How far the strong motives of human action may be modified by education and habit, may be left in the hands of the speculative philanthropists. The only safe rule for governments is, to act on human nature as it is, and conform its changes of policy to new, but well ascertained developements. If, therefore, the position be a just one, that every attempt at a community of property has eventuated unsuccessfully, even with civilized man, it is no matter of wonder that it should have been equally so with the savage. To the lands thus granted, add liberally all that is necessary to enable them effectually to succeed in their new condition—implements of husbandry, mechanics for repairing them, domestic animals, and supplies of food. By directing a part of the funds at present paid for annuities, judiciously, under proper agents, to be appointed by the United States, and as long as necessity required it, the Indians might be brought, by degrees, to a love of civilized life, and be reconciled to the performance of its duties. And although the difficulty of inducing him to labor, is duly appreciated, yet, when its benefits are once realized in the individuality of its productions, and by increasing his comforts, the hope can scarcely be deemed desperate which places him under the same influences as the white man. I refer to the document B,* as disclosing interesting information on this branch of the subject. The principle fixed, the time of its application to different tribes might be left to the discretion of the president, who, in its exercise, would conform to circumstances, commencing with those most convenient and most civilized, and cautiously extending its application till the whole be embraced. The money we annually expend on our Indian relations, and frequently not very profitably to them, from the manner of their appropriating it, would furnish an ample fund to meet any probable expense arising from the execution of this plan. By reference to document A,† it will be seen that this year we have had to pay for this object \$781,827 14.

*See this document following this report.

Expense of our Indian relations.

To those advantages may be added the consideration, that, after an individual distribution, the effort of the whites to dispossess them of their lands thus held, must cease. The individual appropriation of land gives a sanctity to the title which inspires respect in nations the most barbarous. It would repress, with us, any thought of disturbing it. When this is ef-

Advantages of a separate property in lands.

† See note in relation to this document, preceding document B, above referred to.

fects, their distinction of tribes may easily be abolished, and the whole consolidated into one great family. And lastly, the bill leaves those that remain to the wisdom and justice of posterity. If, as is believed, the number disposed to emigrate is comparatively great, those that remain will be so few that their condition may be regulated without committing violence on their wishes or their interests, and yet reconciling their residence with the prosperity of the whites. It is obvious, from causes that need not be enumerated, they must soon surrender their distinction of race for the resemblance of the white man, and accept, as an equivalent, the blessings which that resemblance cannot fail to bring with it—a peaceful but sure remedy, which may be safely left to time alone to produce.

End proposed,
the happiness
of the Indians.

I will add, that the end proposed is the happiness of the Indians—the instrument of its accomplishment—their progressive, and finally, their complete civilization. The obstacles to success are their ignorance, their prejudices, their repugnance to labor, their wandering propensities, and the uncertainty of the future. I would endeavor to overcome these by schools; by a distribution of land in individual right; by a permanent social establishment which should require the performance of social duties; by assigning them a country of which they are never to be bereaved, and cherishing them with parental kindness.

Good results
anticipated.

In looking to the possible results of this plan, I am cheered with the hope, that much good may be effected with comparatively little injury. Our difficulties in their present form, will be diminished, or entirely removed. The desire to acquire Indian lands will cease, and no longer produce collisions. The Indians will at last know their lot with certainty. That many will avail themselves of this arrangement so as to arrive at the blessings of civilization, I think there can be no reasonable doubt; that all will not, I readily admit. The imprudent of our own people are equally beyond the reach of legislative protection.

Consolation of
having fulfilled
our duty.

To this may be added the consolation furnished by the recollection, that, in the efforts we had made, we had acquitted ourselves of a debt of justice and humanity; and if they should even fail by the overruling influence of an inscrutable destiny, whose fulfilment requires their extinction, however it may fill us with sorrow, we shall be relieved from remorse.

Respectfully submitted.

JAMES BARBOUR.

[Document A, referred to in the foregoing report of the secretary of war, being a statement of disbursements in the Indian department, applicable only to the year 1825, under the different heads of appropriation, the amount of which (\$781,827 14) is given in the report,—it is deemed unnecessary to swell this volume by inserting it here.]

B.

DEPARTMENT OF WAR,
Office of Indian affairs, December 13, 1825.

HON. JAMES BARBOUR,
Secretary of war.

SIR: I now proceed to report upon the remaining parts of your directions of the 3d October last, to wit: "The effects, "as already developed, of the present system for civilizing the "Indians, and its probable and ulterior consequences upon "them as a race, viewed both in relation to their present situation and that which contemplates their future and permanent residence upon lands west of the Mississippi."

Favorable effects of the present system of civilization.

The effects of the present system for civilizing the Indians are, every where, within the limits of its operations, salutary. The reports from the schools all testify to its excellence. Its superiority over all other plans for their improvement, and its exact adaptation to the end for which it was devised, will appear by comparing it with other efforts heretofore made for the accomplishment of the same benevolent object, and by a more detailed exposition of the consequences which are flowing from those now making.

Efforts to introduce among the Indians the arts of civilized life.

The wise and the good have never ceased, from the earliest periods of our intercourse with the aborigines of this country, to attempt, in one form or other, their rescue from barbarism, and to introduce among them the conveniences and the blessings of civilized life. But those kind designs were limited in their operations, and partial in their effects; so much so, indeed, as to confirm in many, and even in some who were reluctant to admit a conclusion involving such distressing consequences, the belief that the aborigines of America were incapable of receiving and of practising the lessons of civilization! But this problem has since been solved; and these failures are now known to have been occasioned by existing and long established habits, (and which are no less difficult to subdue, where they strike deep in the white man, than in the Indian,) to the game which every where abounded in their native forest; to the interminable war which avarice has waged against them, and to the defects in the plans which were resorted to for their enlightening and reformation. The most that was accomplished by the missionaries of those earlier and interesting periods, was to reform, comparatively, a few Indians, and control, in some degree, the savage ferocity of others; maintain and keep

Causes of the
want of great-
er success.

alive the spirit of kindness towards them, and secure to themselves, as laborers in a cause so holy, an enviable immortality.

It is now easy to see at least some of the causes of their want of more abundant success. I will notice but one: that, however, next to the want of means and of teachers, is a principal one, and upon which all the rest, in a great degree, depended. Instead of instructing the Indians in a knowledge of the language of the country, and, by means of that mighty instrument, making avenues for their direct approach to, and intercourse with, the whites, and for their immediate acquaintance with the arts and conveniences of cultivated life, the missionaries adopted the plan of, first learning the Indian language, and, by means of it, conveyed their instructions to them. They moreover confined themselves chiefly to lessons of morality and virtue. It is true, that, without the practice of these, no people, whether civilized or savage, can attain to the excellences of which our nature is capable, yet it is equally true, that the savage man must be instructed also in the arts and conveniences of cultivated life, and made to feel the superior benefits which are to be derived from an ownership in, and cultivation of, the soil, and from the social virtues, over the uncertain and isolated and homeless condition of the mere hunter state. It was reserved for later times, if not to discover, at least to practice, this more practical and certain method of civilizing the Indians: hence the present system, whilst it maintains the dignity and purity of moral and religious instruction, keeps also in constant operation the means which are now leading so many Indians to an acquaintance with the domestic arts, with mechanics and with agriculture. It has been by the union of these, aided, it is true, by the absence of game, that the present system for civilizing the Indians, has, in the course of a very few years, produced such a striking change in the habits and practices of several of the tribes, among whom it has been put in operation. Upwards of eleven hundred children, as has been shewn in my report of the 30th ultimo, are now having imparted to them, and successfully too, the blessings of civilized and christian life, whilst the older Indians, struck with its transforming effects, are themselves practising, to a very great extent, the lessons which they receive from their more fortunate offspring; and, in proof of their admiration of it, have, in many instances, contributed from their own scanty resources to its support. Several tribes have placed, at the disposal of the superintendents of the schools, under the direction of the general government, large annuities. The Choctaws have allotted twelve thousand dollars of their means, per annum, for nearly twenty years, towards the support of this system; and the Chickasaws have given one year's

annuity, amounting to upwards of thirty thousand dollars, as a fund for the same object.

The Cherokees on this side the Mississippi are in advance of all other tribes. They may be considered as a civilized people. Their march has been rapid. Less than thirty years ago they were so insensible to the conveniences of roads, as to have grown jealous of the missionary who had entitled himself to their confidence, and justly too, for recommending them to open a wagon road from one of their villages, for the advantage of an easier intercourse with another. Something, it is true, had been accomplished in the instruction of a few Cherokees in letters, and in the domestic arts, by the aged and venerable Moravian missionary, who yet resides in the Cherokee nation; but the *first* school established there, under the present system, was in 1817. I cannot better illustrate the results of this system, than, by introducing, here, a statement of the present condition of the Cherokees, from the pen of a young man, a *native Cherokee*, who is indebted to this system for his improvement, and who was, eight years ago, as he told me himself "*a savage*," without any knowledge of our language, or the principles of that sublime religion, to the cause of which he has devoted himself for the benefit of his countrymen. I shall not only be excused, but justified, I am sure, in introducing the following extracts from his letter, addressed to the editor of the Family Visitor, at Richmond, in September last. It is truth we are in quest of, and facts are the best instruments for its developement. Theory, and all previously conceived opinions, which are adverse to Indian capacity and Indian improvement, must give way to the stubborn demonstrations of such facts as David Brown discloses, even if there were no others; but there are many such.

"Willstown, (Cherokee Nation,) Sept. 2d, 1825.

"In my last letter, from Creek Path to you, I stated that
 "there was some probability of my returning to Arkansas, &c.
 "&c. and referred to the improved condition of the Chero-
 "kees, on this side of the Mississippi, in a moral, intellectual,
 "and religious point of view, &c.—to the slow progress I make
 "in translating the New Testament, in consequence of the
 "non-existence of a dictionary, or complete grammar, in
 "Cherokee—and to the philological researches of one in the
 "nation, whose system of education had met with universal
 "approbation, &c.

Extracts from
 David
 Brown's letter.

"Allow me, dear sir, now the pleasure to fulfil the promise
 "I made you, that I would pick up and send you what I had

Extracts, &c.

“omitted. Recently I have been travelling a good deal in the nation, in order to regain my impaired health. My heavenly Sovereign permitting, I expect to return to Arkansas in the month of October next. I have made a hasty translation of the four Gospels, which will require a close criticism. On my arrival at Dwight, I shall pursue the delightful work, and I hope the day is not far distant, when the Cherokees, my brethren and kindred, according to the flesh, shall read the words of eternal life, in their own tongue. I will here give you a faint picture of the Cherokee nation and its inhabitants. In the mean time, however, it must be borne in mind, that it is the mass and common people, that form the character of a nation, and not officers of government, nor the lowest grade of peasantry.

“The Cherokee nation, you know, is in about 35 degrees north latitude; bounded on the north and west by the state of Tennessee; on the south by Alabama, and on the east by Georgia and N. Carolina. This country is well watered; abundant springs of pure water are found in every part. A range of majestic and lofty mountains stretch themselves across the nation. The northern part of the nation is hilly and mountainous. In the southern and western parts, there are extensive and fertile plains, covered partly with tall trees, through which beautiful streams of water glide. These plains furnish immense pasturage, and numberless herds of cattle are dispersed over them. Horses are plenty, and are used for servile purposes. Numerous flocks of sheep, goats, and swine, cover the valleys and hills. On Tennessee, Usatanala and Canasagi rivers, Cherokee commerce floats. The climate is delicious and healthy; the winters are mild. The spring clothes the ground with its richest scenery. Cherokee flowers, of exquisite beauty and variegated hues, meet and fascinate the eye in every direction. In the plains and valleys, the soil is generally rich; producing Indian corn, cotton, tobacco, wheat, oats, indigo, sweet and Irish potatoes. The natives carry on considerable trade with the adjoining states; and some of them export cotton in boats, down the Tennessee, to the Mississippi, and down that river to New-Orleans. Apple and peach orchards are quite common, and gardens are cultivated, and much attention paid to them. Butter and Cheese are seen on Cherokee tables. There are many public roads in the nation, and houses of entertainment kept by natives. Numerous and flourishing villages are seen in every section of the country. Cotton and woolen cloths are manufactured here. Blankets, of various dimensions, manufactured by Cherokee hands, are very common. Almost every family in the nation grows cotton for its own consumption. Industry and commercial enterprise

“are extending themselves in every part. Nearly all the *Extracts, &c.*
 “merchants in the nation are native Cherokee. Agricultural
 “pursuits, (the most solid foundation of our national prosperi-
 “ty,) engage the chief attention of the people. Different
 “branches in mechanics are pursued.—The population is rapid-
 “ly increasing. In the year 1819, an estimate was made of
 “all the Cherokees. Those on the west, were estimated at
 “5,000, and those on the east of Mississippi, at 10,000 souls.
 “The census of this division of the Cherokees has again been
 “taken within the current year, and the returns are thus
 “made—native citizens, 13,563; white men married in the
 “nation, 147; white women do. do. 73; African slaves,
 “1,277. If this summary of Cherokee population from the
 “census, is correct, to say nothing of those of foreign ex-
 “tract, we find that, in six years, the increase has been 3,563
 “souls. If we judge the future by the past, to what number
 “will the Cherokee population swell in 1856?

“White men in the nation enjoy all the immunities and
 “privileges of the Cherokee people, except that they are not
 “eligible to public offices. In the above computation of the
 “present year, you perceive that there are some African slaves
 “among us. They have been from time to time, brought in
 “and sold by white men: they are, however, generally well
 “treated, and they much prefer living in the nation, to a resi-
 “dence in the United States. There is hardly any intermix-
 “ture of Cherokee and African blood. The presumption is,
 “that the Cherokees will, at no distant day, co-operate with
 “the humane efforts of those who are liberating and sending
 “this proscribed race to the land of their fathers. National
 “pride, patriotism, and a spirit of independence, mark the
 “Cherokee character.

“The christian religion is the religion of the nation. Pres-
 “byterians, Methodists, Baptists, and Moravians, are the most
 “numerous sects. Some of the most influential characters are
 “members of the church, and live consistently with their pro-
 “fessions. The whole nation is penetrated with gratitude for
 “the aid it has received from the United States’ government,
 “and from different religious societies. Schools are increas-
 “ing every year; learning is encouraged and rewarded.—The
 “young class acquire the English, and those of mature age,
 “the Cherokee system of learning. The female character is
 “elevated and duly respected. Indolence is discountenanced.
 “Our native language, in its philosophy, genius, and sympho-
 “ny, is inferior to few, if any, in the world. Our relations
 “with all nations, savage or civilized, are of the most friendly
 “character. We are out of debt, and our public revenue is in
 “a flourishing condition. Besides the amount arising from
 “imposts, a perpetual annuity is due from the United States,

Extracts, &c. "in consideration of lands ceded in former periods. Our system of government, founded on republican principles, by which justice is equally distributed, secures the respect of the people. Newtown, pleasantly situated in the centre of the nation, and at the junction of Canasagi and Gusuwati, two beautiful streams, is the seat of government. The legislative power is vested in what is denominated, in native dialect, *Tsalagi Tinilawigi*, consisting of a national committee and council. Members of both branches are chosen by and from the people, for a limited period. In Newtown, a printing press is soon to be established, also a national library and a museum. Immense concourse of people frequent the seat of government, when *Tsalagi Tinilawigi* is in session, which takes place once a year."

Cherokee alphabet, by Guess, a native.

The success which has attended the philological researches of "one in the nation," and whose system of education has met, among the Cherokees, with universal approbation, certainly entitles him to great consideration, and to rank with the benefactors of man. His name is Guess, and he is a native and unlettered Cherokee. Like *Cadmus*, he has given to his people the alphabet of their language. It is composed of eighty-six characters, by which, in a few days, the older Indians, who had despaired of deriving an education by means of the schools, and who are not included in the existing school system as participators of its benefits, may *read and correspond!* I have the honor to accompany herewith, in paper marked C, this alphabet, together with an example in the word "*friend*," and also, the sound of each character, numbered from 1 to 86.

Probable consequences of the present state of the Indians.

The probable and ulterior consequences, upon the Indians, as a race, of the system for their civilization, whether viewed in relation to their present situation, or that which contemplates their future and permanent residence upon lands west of the Mississippi, will partake, it is reasonable to presume, more or less, and according as circumstances may be favorable or otherwise, of those which have already been developed. This is the necessary conclusion, if any regard be had to the effects which have already been produced. But the system to be *universally operative*, and speedy in accomplishing the objects designed by it, should be so enlarged as to embrace the entire body of Indian children to whose tribes it may be extended. Without this, they will have to contend with opposing influences, and their progress will be less rapid. The examples of those not embraced by it, will be necessarily felt. It is in the nature of man to imitate, and it being easier to imitate bad habits than good, the former will predominate, and especially among a people where the checks arising out of public

opinion, and which apply to social and moral actions, are less regarded than are those which demand the exercise of self-denial and the sterner virtues. Whether, therefore, the Indians maintain their present location or emigrate west of the Mississippi, and there settle under some congenial and paternal government, as was proposed by our late venerable chief magistrate, it cannot be otherwise, if the present system for their civilization be sustained, but that they will continue to derive from it, effects similar to those which have been disclosed. It is, however, in my opinion, very certain, that, should they retain their present location, they will, in the course of a few years, *be lost as a race*. The very improvement which is now making; the refinements which it creates, and the conceptions which it inspires, cannot, whilst they retain their present relation to us, but produce in them feelings of deep humiliation. It is true the Cherokees have a government of their own; and they aspire, among themselves, to places of honor and trust. But the more enlightened of them feel that these honors, when attained, suffer in the comparison with those which are bestowed in the states; or however gratifying their attainment may be, that they are never free from the terrible apprehensions which arise out of the uncertainty of their continuing where they are. Indeed, those of them who have thought most upon this subject, and who feel, with the return of every year, the swell of the same ocean, that has swept off so many of their tribes, breaking at their feet, have no objection to pass, at once, under the laws of the states, and into permanent repose, except that which arises out of their apprehension that a portion of their people are *not yet prepared for it*. But this portion are receiving, in their turn, the enlightening influences of the system of education, and a little time only will be required, so far at least as it regards the Cherokees, to destroy this fear, when the whole tribe will, no doubt, seek to place themselves under the laws of the states, and, by that act, prepare the process for their extinction *as a race*. The same may be said of the other tribes as they shall, in succession, advance to the same state of improvement. But a different result may be anticipated in regard to the question of their extinction or preservation as a race, were the entire Indian population, now within the limits of our states and territories, (and which does not exceed one hundred and thirty thousand,) collected and placed under the kind of government which has been referred to, and upon lands west of the Mississippi. They would be thus embodied, as *a separate people*. The humiliating feelings arising out of their present relation to the whites, and to our government, would be changed and elevated by the connexion which would be formed between them; and they would be secured, as well by their separate state as by the power of

the government under which they would live, and of which they would form part, from all further encroachments and insults, and freed from the apprehension which is so paralyzing to them, of any future removal. Under such circumstances, it is reasonable to suppose that they would give full scope to those feelings which characterize them *as a people*, and which lead them to struggle so for their preservation *as a race*. To this day the fragments of tribes within the states, in the north and east, cling to the exterior characteristics, in their leggins and belts of wampum, thus demonstrating their devotion to their race. They are not ashamed of their origin nor of their complexion. They glory in both. Remove the existing causes that operate to humiliate them in their own eyes and to depress their energies; give them, under our laws, an assurance of protection in that western home, and a share in the government, and of the public honors; make them, in a word, *part of ourselves*; and their improvement, in such a state, under the existing system for their civilization, so far from producing their extinction, as a people, would tend to their *preservation as a race*.

Question of
policy.

The question of policy as to which of those measures would conduce most to the public welfare and the happiness and prosperity of the Indians, and which now presents itself, is left for discussion to those who are more competent to it. But the age, I may be permitted to add, in which it is our happiness to live, has, by its enlightening and humanizing influences, decided that *mercy* shall rule, and liberality and kindness minister to these unfortunate people, in whatever relation it may be determined they are to stand to us.

I have the honor to be, . . .

With great respect,

Your obedient servant,

THO. L. MCKENNEY.

C.

RDW h G J W P N O Y X B
 P O M S O T C & W B U Y
 W A G T A S V A F O O W
 U T L O C R A S A E E
 O T O S B C O J K N Q O
 G G V A G J S G I O V E
 S O P H G D G A L G J
 S O I E

Cherokee al-
 phabet, by
 Guss, a na-
 tive; referred
 to in the pre-
 ceding docu-
 ment, B.

- | | | |
|--------------------|---------------------|------------------|
| 1. A short. | 30. Tsoo. | 59. Naa. |
| 2. A broad. | 31. Maugh. | 60. Loh. |
| 3. Lah. | 32. Seh. | 61. Yu. |
| 4. Tsee. | 33. Saugh. | 62. Tsch. |
| 5. Nah. | 34. Cleegh. | 63. Tee. |
| 6. Weeh. | 35. Queegh. | 64. Wahh. |
| 7. Weh. | 36. Quegh. | 65. Tooh. |
| 8. Leeh. | 37. Sah. | 66. Teh. |
| 9. Neh. | 38. Quah. | 67. Tsah. |
| 10. Mooh. | 39. Gnaugh (nasal.) | 68. Un (French.) |
| 11. Keeh. | 40. Kaah. | 69. Neh. |
| 12. Yeeh. | 41. Tsahn. | 70. —. |
| 13. Seeh. | 42. Sahn. | 71. Tsooh. |
| 14. Clanh. | 43. Neeh. | 72. Mah. |
| 15. Ah. | 44. Kah. | 73. Clooh. |
| 16. Luh. | 45. Taugh. | 74. Haah. |
| 17. Leh. | 46. Keh. | 75. Hah. |
| 18. Hah. | 47. Taah. | 76. Meeh. |
| 19. Woh. | 48. Kahn. | 77. Clah. |
| 20. Cloh. | 49. Weeh. | 78. Yah. |
| 21. Tah. | 50. Eeh. | 79. Wah. |
| 22. Yahn. | 51. Ooh. | 80. Teeh. |
| 23. Lanh. | 52. Yeh. | 81. Clegh. |
| 24. Hee. | 53. Un (French.) | 82. Naa. |
| 25. Ss (sibrlant.) | 54. Tun. | 83. Quh. |
| 26. Yoh. | 55. Kooh. | 84. Clah. |
| 27. Un (French.) | 56. Tsoh. | 85. Maah. |
| 28. Hoo. | 57. Quooh. | 86. Quhn. |
| 29. Goh. | 58. Noo. | |

The following characters, when put together, spell "*Friend*" Example.

—Y Q S T and are sounded thus—*Keeh-naa-leh-eeh*.

"*Keeh*," is sounded short; "*naa*," broad; "*leh*," short; and "*eeh*," short.

No. 5. Regulations for the civilization of the Indians.

[CIRCULAR.]

DEPARTMENT OF WAR,

3d September, 1819.

SIR,

Annual fund
for civilization
of Indians, to
be applied in
co-operation
with benevo-
lent societies.

Conditions on
which the ap-
plication will
be made.

President to
decide on
claims, and
distribute the
fund.

Government
will aid, &c.

In order to render the sum of ten thousand dollars, annually appropriated at the last session of congress for the civilization of the Indians,* as extensively beneficial as possible, the president is of opinion, that it ought to be applied in co-operation with the exertions of benevolent associations, or individuals, who may choose to devote their time or means to effect the object contemplated by the act of congress. But it will be indispensable, in order to apply any portion of the sum appropriated in the manner proposed, that the plan of education, in addition to reading, writing, and arithmetic, should, in the instruction of the boys, extend to the practical knowledge of the mode of agriculture, and of such of the mechanic arts as are suited to the condition of the Indians; and in that of the girls, to spinning, weaving, and sewing. It is also indispensable that the establishment should be fixed within the limits of those Indian nations who border on our settlements. Such associations, or individuals, who are already actually engaged in educating the Indians, and who may desire the co-operation of the government, will report to the department of war, to be laid before the president; the location of the institutions under their superintendence; their funds; the number and kind of teachers; the number of youths of both sexes; the objects which are actually embraced in their plan of education; and the extent of the aid which they require; and such institutions as are formed, but have not gone into actual operation, will report the extent of their funds; the places at which they intend to make their establishments; the whole number of youths, of both sexes, which they intend to educate; the number and kind of teachers to be employed; the plan of education adopted; and the extent of the aid required.

This information will be necessary to enable the president to determine whether the appropriation of congress ought to be applied in co-operation with the institutions which may request it, and to make a just distribution of the sum appropriated.

In proportion to the means of the government, co-operation will be extended to such institutions as may be approved, as

* See the act making the appropriation; ante, chap. 55, page 397.

well in erecting necessary buildings, as in their current expenses.

I have the honour to be,

Your most obedient servant,

(Signed)

J. C. CALHOUN.

To

ADDITIONAL REGULATIONS.

DEPARTMENT OF WAR,

February 29, 1820.

The following regulations, in addition to those prescribed in the circular of the 3d September, 1819,* have been adopted, with the approbation of the president of the United States, to govern the future distribution of the sum appropriated by congress for the civilization of the Indians, among individuals, or societies, who have established, or contemplate establishing, schools, for the education of Indian children, in conformity to the above-mentioned circular, and who desire the co-operation of the government.

*The preceding circular.

The position selected for the establishment, a plan of the buildings contemplated, with an estimate of the costs, to be submitted to the secretary of war, to be laid before the president.

Position, plan, and cost of buildings to be reported.

Government will, if it has the means, and approves of the arrangement, pay two-thirds of the expense of erecting the necessary buildings. No part of the money to be advanced until after the buildings are commenced; and one-fourth to be reserved until they are completed. The payment to be made on the certificate of the agent of Indian affairs, for the tribe or nation in which the establishment is located, as to the facts of the commencement and completion of the buildings.

Aid to be given by the government for buildings, and terms of payment.

The president of the United States will contribute, out of the annual appropriation, to such institution which may be approved of by him, a sum proportionate to the number of pupils belonging to each, regard being had to the necessary expense of the establishment, and the degree of success which has attended it.

Aid also to be given according to number of pupils.

No advance to be made, except for the buildings, till the school is in actual operation; of which fact, and the number of pupils belonging to it, the certificate of the superintendent, or person having the principal control of the institution, will be sufficient evidence.

Payments how to be made.

A report will be annually made for each establishment, on the 1st of October, of the number and names of the teachers, and other persons belonging to it. The number of students;

Annual reports required.

the number which have completed their course, and left the institution, since the first day of October, of the preceding year; the number entered; the amount of disbursements, for the same period, and the value and description of property on hand; which report will be certified by the superintendent or person having the principal control of the establishment.

Duties of persons employed at institutions.

It is considered to be the duty of all persons who may be employed, or attached to any institution, not only to set a good example of sobriety, industry, and honesty, but as far as practicable, to impress on the minds of the Indians, the friendly and benevolent views of the government towards them, and the advantage to them in yielding to the policy of the government, and co-operating with it, in such measures as it may deem necessary for their civilization and happiness. A contrary course of conduct cannot fail to incur the displeasure of the government, as it is impossible that the object which it has in view can be effected, and peace be habitually preserved, if the distrust of the Indians, as to its benevolent views, should be excited.

I have, &c. &c.

(Signed)

J. C. CALHOUN.

No. 6. Documents relating to the treaty with the Cherokee nation, of the 24th October, 1804, and which was not ratified until 17th May, 1824.

WAR DEPARTMENT,

April 29th, 1824.

SIR:

Letter of the secretary of war to the president of the U. S.

The delegation of Cherokees now in Washington, called the attention of the government, by their letter of the 19th January last, to a treaty which they alleged had been concluded by commissioners on the part of the United States, and their nation, on the 24th October, 1804. It was ascertained, after diligent search, that no such treaty was to be found in this department; and no evidence whatever could be obtained in confirmation of the existence of such a treaty. This being communicated to the delegation, they presented a duplicate of the treaty, together with other papers relating to it. With a view to ascertain, as far as it was practicable, the cause which had operated to prevent the ratification of this treaty, I addressed a letter to the Secretary of the Senate, and to col. McKee of the House of Representatives, one of the subscribing witnesses to the treaty, whose replies are herewith submitted:

and lastly, the subject was referred to Mr. Jefferson, whose answer is enclosed.

There can be no doubt of the genuineness of the treaty, nor that its non-ratification by the Senate, at the time, was owing to some accidental circumstance. The delegation having furnished their duplicate of the treaty accompanied by a request that it be laid before the Senate for its ratification, I have the honor herewith to enclose it, together with all the documents connected with it.

I have the honor to be,
Sir, very respectfully,
Your most obed't servant,
J. C. CALHOUN.

To the PRESIDENT OF THE UNITED STATES.

OFFICE OF SEC'Y OF SENATE,
April 13th, 1824.

To the HON. SEC'Y OF WAR.

SIR: In answer to your letter of yesterday, respecting a treaty with the Cherokee Indians, I have to state that I have caused the executive journals to be examined, and find that no treaty with the Cherokees, of the date of Oct. 24th, 1804, has ever been submitted to the Senate. A treaty answering to that mentioned in your letter, in every respect, excepting the date, which is Oct. 25th, 1805, was ratified by the Senate in Dec. 1805.

Letter from
Mr. Cutts,
secretary of
the senate.

With great respect,
Your obed't serv't,
CHARLES CUTTS.

HOUSE OF REPRESENTATIVES,
April 15. 1824.

SIR:

The enclosed treaty concluded with the Cherokees on the 24th Oct. 1804, has been transmitted to me, with a request, that I would make such remarks as I may think proper, embracing its genuineness, and the reasons, if I know any, why it was never ratified by the Senate. I can state, confidently, as well from an intimate knowledge of the hand-writing of many of the signers to this instrument, as from a perfect recollection of the negotiating and signing the treaty, that it is genuine.

Letter from
col. McKee.

I have never heard any reason assigned why it has not been ratified.

I have the honor to be, very respectfully,
Sir, your obedient servant,

JOHN McKEE.

The Hon. J. C. CALHOUN,
Secretary of War.

MONTICELLO, *April 25, 1824.*

SIR :

Letter from
Mr. Jefferson.

I duly received your letter of the 19th inst. with the documents it covered, relative to the treaty of Oct. 24, 1804, with the Cherokees for the purchase of lands. Recurring to memory, alone, I can affirm that the treaty inclosed to me, and now returned, is genuine. It is well remembered, because no case of intruders ever occurred which excited more anxiety or commiseration with us, than that of Wafford's settlement, which it covered. On the complaint of the Cherokees, we endeavored to purchase the lands from them, but, on their refusal, we assured them the intruders should be removed, and orders were accordingly given; but the officers to whom they were given, interceded with the Indians to let the settlers remain until they had gathered their crops; and this indulgence was, I believe, repeated, until at length they agreed to sell the lands. Recurring to my papers, I find the following passage in a letter to General Dearborn, of April 8, 1804, written from this place, where I was on a short visit at the time: 'I think, before I left Washington, we had decided to take immediate measures for endeavoring to purchase of the Cherokees all their lands in Tennessee, or such, the most interesting to that state, as they would be willing to sell; and to name Meigs and Daniel Smith commissioners.' To this Gen. Dearborn answered by the letter of April 14, which I now inclose you, informing me that Smith and Meigs had accordingly been authorized to hold the treaty. This is the last trace of the transaction which I find in my papers. I have for 40 years back kept a list of every letter or communication I wrote or received. A diligent examination of this list assures me that I never received this treaty. I have preserved press or polygraph copies of every message I ever sent to either house of Congress. A like examination of these, proves I never laid this treaty before the Senate. Yet that the treaty was entered into, is proved by the duplicate copy produced by the Indians, equally authentic with our own, by its actual execution, by the delivery of the lands on their part, and of the

price in goods on ours, and by the testimony of Mr. McKee and others. How has it happened that this has been done without ratification by the Senate? I do not know. Two conjectures occur. Either the treaty may have been lost by the way, or, if received by the war-office, it may have been mislaid there accidentally, and escaped subsequent recollection. In this case, it may still be in some unsuspected bundle; where nobody will ever think of looking for it. The execution of the treaty having taken place immediately, and on the spot where it was signed, nothing occurred here to recall our attention to it afterwards, and in the mass of other business engrossing the mind, we have overlooked this, and a failure of duty has been incurred by a lapse of memory. I take to myself my share in this omission, and can only say in excuse, '*homo sum.*' The treaty had all my approbation. It is some consolation, that the blot may yet be covered, if all parties are agreed. The Indians will doubtless consent, that their duplicate shall be laid before the Senate, which being equally an original with that which should have been laid before their predecessors, can receive their ratification, *nunc pro tunc*. This will sanction all that has been done on the principle that the confirmation of a proceeding supplies preceding defects. In this way may be repaired a slip of the executive functionaries, unwittingly committed, and full justice be done to the other party.

With my regrets that an involuntary failure of recollection in myself, among the other officers of the government participating in it, should have produced the present embarrassment; be pleased to accept the assurance of my high respect and consideration.

TH: JEFFERSON.

HON. J. C. CALHOUN, *sec'y of war*.

Extract from the letter of Gen. Dearborn, of the 14th April, 1804, referred to in the preceding letter of Mr. Jefferson.

"Gen. Daniel Smith with Col. Meigs, have been appointed for holding a conference or treaty with the Cherokees in conformity to your directions, and they are to hold the treaty at such times and places as will, in their opinion, be most expedient."

No. 7. ABSTRACT of Indian Treaties, whereby the United States acquired the title to Lands in the states of Ohio, Indiana, Illinois, Missouri, Mississippi, and Alabama, and in the territories of Michigan and Arkansas.

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situate.	Estimated contents of the cession, in acres.	REMARKS.
Wyandot, Delaware, Shawnee, Ottawa, Chippewa, Pottawatimma, Miami, Eel River-Miami, Kickapoo, Piankeshaw, and Kaskaskia	3d August, 1795, Greenville (ante, page 49)	Ohio Indiana	16,930,417 794,072 17,724,489	Of this quantity, 1,726,000 acres lie within the limits of the Connecticut Western Reserve.
Delaware, Shawnee, Pottawatimma, Eel River, Wea, Kickapoo, Piankeshaw, and Kaskaskia	7th June, 1803, fort Wayne (ante, p. 57)	Indiana Illinois	1,297,920 336,138 1,634,048	Ratified by the Eel River, Wyandots, Kaskaskias, and Kickapoos, at the council held at Vincennes, 7th August, 1803.
Kaskaskia	13th August, 1803, Vincennes (ante, p. 222)	Illinois	8,608,167	Of this quantity, 2,101,760 acres lie within the limits of the Kickapoo cession, at Edwardsville, 30th July, 1819.
Delaware	Aug. 18, 1804, Vincennes (ante, p. 4)	Indiana	1,910,717	This land was also ceded by the Piankeshaws, at Vincennes, 27th August, 1804.
Wyandot, Ottawa, Chippewa, Munsee, Delaware, Shawnee, and Pottawatimma	4th July, 1805, fort Industry (ante, p. 60)	Ohio	2,726,812	Of this quantity, there are in the Connecticut Western Reserve, 500,000 Fire lands,
Delaware, Pottawatimma, Miami, Eel River, and Wea	21st August, 1805, Grouseland, near Vincennes (ante, page 63)	Indiana	1,244,311	1,041,910 500,000 1,541,910

Piankeshaw	10th Decem. 1803, Vincennes (ante, p. 226)	Illinois	2,616,921	Ceding certain lands in Ohio, for the purpose of making a road.
Ottawa, Chippewa, Wyandot, and Pottawatima,	17th Nov. 1807, Detroit (ante, p. 66)	Ohio Michigan	345,600 5,592,160	
	25th Nov. 1808, Brownstown (ante, p. 69)		5,937,760	
	30th Sept. 1809, Fort Wayne (ante, p. 71)	Indiana Also in Indiana, being that tract designated as lying east of the 2d principal meridian	2,136,266	
Chippewa, Ottawa, Wyandot, Pottawatima, and Shawanee, Delaware, Pottawatima, Miami, and Eel River	Total quantity ceded by the 1st article of the treaty.....		549,120	Confirmed by the Wea nation, at the convention held at Vincennes, on 26th Oct. 1809.
	Quantity ceded by the 9th article.....		2,685,386	
	(In Illinois)		282,547	
	9th Dec. 1809, Vincennes (ante, p. 262)	Indiana Illinois	2,967,933 54,464 58,880	
Kickapoo			113,344	The cession under the 9th article of this treaty, was confirmed by the Kickapoo, at the treaty of Vincennes, 9th Dec. 1809.
Sac and Fox tribes	3d Nov. 1804, St. Louis (ante, p. 230)	Situate principally in Illinois, and partly in Missouri	14,000,000	

Of this quantity, 5,000,000 acres, situate north of a due west line from the southern extremity of lake Michigan to the Mississippi, were relinquished by the U. S. under the treaty of St. Louis, 24th Aug. 1816, with the United tribes of Ottawa, Chippewa, and Pottawatima, who still claim the country north of the line designated—(See next article.)

ABSTRACT OF INDIAN TREATIES—CONTINUED.

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situate.	Estimated contents of the cession, in acres.	REMARKS.
United tribes of Ottawas, Chippewas, Pottawatimas, residing on the Illinois and Wewakee rivers, and their waters, and on the south-western parts of lake Michigan	24th August, 1816, St. Louis (ante, p. 83)	Illinois Missouri In Illinois, between lake Michigan and Fox rivers North of the state of Illinois	6,004,000	Previously ceded by the Sacs and Foxes at St. Louis, 3d November, 1804, (as above.) Additional cession. Reservation by the U. S. of five leagues square, near Ouisconsin river. Aggregate of the cession.
			2,996,000	
			9,000,000	
			767,411	
Wyandot, Seneca, Shawnee, Ottawa, Delaware, Pottawatima, and Chippewa	29th Sept. 1817, foot of the Rapids of the Miami of lake Erie (ante, p. 85)	Ohio Indiana Michigan	144,000	Aggregate of the cession.
			9,911,411	
			4,554,459	
			192,512	
Wea	2d Oct. 1818, St. Mary's, Ohio (ante, p. 260)	Ohio Indiana Illinois	30,000	Aggregate of the cession.
			4,776,971	
			-	
			-	
Peoria, Kaskaskia, Michigamia, Cahokia, and Tamarois	26th Sept. 1818 Edwardsville (ante, p. 103)	Illinois	7,139,398	No boundaries are defined for the land ceded under this treaty. It embraces all the lands owned by them in these three states, with the exception of a reservation of 30,000 acres, at the mouth of Racoon creek, in Indiana. The quantity here stated, is clear of interference with lands ceded under any previous treaty. This cession includes the lands ceded by the treaty at Vincennes with the Kaskaskias, 13th Aug. 1803. The quantity of land ceded by both these treaties, is estimated at 15,746,565 acres.
			-	
			-	
			-	

Pottawattima	Mary's, Ohio (ante, p. 274)	Indiana Illinois*	738,372 141,043 899,615	* This quantity is included in the Kickapoo cession, under the treaty of fort Harrison, 3d August, 1819.
Delaware	3d Oct. 1818, St. Mary's, Ohio (ante, p. 6. 6th Oct 1818, St. Mary's, Ohio (ante, p. 312)	Indiana Indiana Ohio	- 6,789,831 297,600 7,087,431	Cede to the United States all their claim to land in Indiana. The United States provide for them a country west of the Mississippi.
Wyandot	20th Sept. 1818, St. Mary's, Ohio (ante, p. 311)	Michigan	5,000	Two tracts of land reserved for the use of the Wy- andot tribe, by an act of congress, passed 28th February, 1809, including the villages of Browna- town and Maguagua.
Wyandot, Seneca, Shawanee, and Ottawa, supplementary to their treaty of Sept. 29, 1817.	17th Sept. 1818, St. Mary's, Ohio (ante, p. 100)			Provides additional reservations of land for the use of the tribes, and grants to certain individu- als.
Great and Little Osage	10th Nov. 1808, fort Clark (an- te, p. 243)	Missouri Arkansas	33,173,383 14,830,432 48,003,815	Beginning at <i>fort Clark</i> , on the Missouri, five miles above "Fire Prairie," and running thence, a due south course, to the river Arkansas, and down the same to the Mississippi; ceding and relinquishing all the lands which lie east of the said line, and north of the southwardly bank of the river Arkansas, and all lands situated north- wardly of the river Missouri.
Great and Little Osage	25th Sept. 1818, St. Louis (ante, p. 250)	Arkansas, & west thereof	7,392,000	Situate between the Verdigris river and the old Osage boundary.
Quapaw	24th Aug. 1818, St. Louis (ante, p. 305)	Arkansas, & west thereof Louisiana	26,698,560 2,492,000 29,190,560	This treaty reserves 1,500,000 acres, which were subsequently ceded by them to the U. S. at the treaty at Harrington's, 15th Nov. 1824.

ABSTRACT OF INDIAN TREATIES—CONTINUED.

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situate.	Estimated contents of the cession, in acres.	REMARKS.
Kickapoo of Vermillion	{ 30th Aug. 1819, fort Harrison (ante, p. 265)	{ Indiana Illinois	{ 25,200 2,317,849 2,343,049	{ This is the quantity, clear of interference with any previous cessions.
Kickapoo	{ 30th July, 1819, Edwardsville (ante, p. 267)	{ Illinois	{ 969,400	{ This is the quantity, clear of interference with any previous cessions.
Chippewa	{ 24th Sept. 1819, Saginaw (ante, p. 324)	{ Michigan	{ 7,451,520	{ Sixteen square miles, beginning at Big creek, on the river St. Mary's, and running down the river back for quantity.
Chippewa	{ 16th June, 1820, Sault de St. Marie (ante, p. 328)	{ Michigan	{ 10,240	{ Ceding the St. Martin islands in lake Huron, containing plaster of Paris.
Ottawa and Chippewa	{ 6th July, 1820, L'arbre Croche (ante, p. 106)	{ Indiana	{ 30,000	{ Being the land at the mouth of Racoon creek, a branch of the Wabash, reserved by their treaty at St. Mary's, 2d October, 1818.
Wea	{ 11th August, 1820, Vincennes (ante, p. 261)	{ Michigan Indiana	{ 4,472,550 460,800 4,933,350	{ The land reserved by their treaty at St. Louis 24th August, 1818.
Ottawa, Chippewa, and Pottawatima	{ 29th August, 1821, Chicago (ante, p. 107)	{ Arkansas	{ 1,800,000	{ Treaty of limits.
Quapaw	{ 15th Novem. 1824, Harrington's (ante, p. 308)	{	{	{
Chickasaw	{ January 3d, 1786, Hopewell (ante, p. 188)	{	{	{

Choctaw	{ 17th Dec. 1801, fort Adams (ante, p. 155)	Mississippi	2,245,720	{ Ceding lands between the Chickasawhay and the Tombigby and Mobile rivers, included within the limits of their subsequent treaty, at Mount Dexter, 16th Nov. 1805.
Choctaw	{ 17th Oct. 1802, fort Confederation (ante, p. 158)	Mississippi	4,374,244	{ Including the land ceded by the treaty of fort Confederation.
Choctaw	{ 16th Nov. 1805, Mount Dexter (ante, p. 161)	Mississippi Alabama	1,612,800	
			5,987,044	
Choctaw	{ 24th October, 1816, Choctaw trading house (ante, p. 164)	Mississippi		{ This land was also ceded by their treaty of Mount Dexter.
Choctaw	{ 18th Octob. 1820, Doaks' stand (ante, p. 165)	Mississippi	5,447,267	
Choctaw	{ 20th Jan. 1825, city of Washington (ante, p. 171)	Arkansas	5,030,912	
Chickasaw	{ 10th Jan'y. 1786, Hopewell (ante, p. 176)			Treaty of limita.
Chickasaw	{ 24th Octob. 1801, Chickasaw Bluff's (ante, p. 177)			{ Granting the U. States permission to make a road through part of Tennessee and Mississippi.
Chickasaw	{ 23d July, 1805, Chickasaw country (ante, p. 179)	Principally in Tennessee and Kentucky	345,600	{ This land formed, originally, Madison co. Alabama. This is the tract which now forms Monroe county, Mississippi, and was also ceded by the Creek treaty, of 9th Aug. 1814.
Chickasaw	{ 30th Sept. 1816, Chickasaw council house (ante, p. 181)	Mississippi	408,000	
Cherokee	{ 7th Jan. 1806, city of Washington (ante, p. 131)	Tennessee Alabama	1,309,600	{ Elucidated by treaty of Chickasaw old fields, 11th Sept. 1807.

ABSTRACT OF INDIAN TREATIES—CONTINUED.

Tribes of Indians.	Date of treaty, and where concluded.	State and territory wherein the ceded lands are situated.	Estimated contents of the cession, in acres.	REMARKS.
Cherokee	{ 22d March, 1816, city of Washington (ante, p. 136)	{ }	{ }	{ Establishing the boundary line between the U. States and the Cherokees, under the treaty of fort Jackson, 9th August, 1814.
Cherokee	{ 4th Octob. 1816, Turkey Town (ante, p. 138)	{ Alabama	{ 1,395,200	{ }
Cherokee	{ 27th Feb. 1819, city of Washington (ante, p. 146)	{ Tennessee	{ 738,560	{ }
Creek	{ 9th August 1814, fort Jackson	{ Alabama	{ 7,552,000	{ }
	{ (ante, p. 207)	{ Georgia Mississippi Alabama	{ 408,000 14,384,800	{ }
	{ }	{ }	{ 29,244,800	{ }

GENERAL LAND OFFICE, 23d June, 1836.

Note. From the foregoing statement, politely furnished by the General Land Office, it appears that the United States have acquired lands from the Indians, as follows:

In Ohio,	24,854,888 acres.
In Indiana,	16,343,685
In Illinois,	29,384,744
In Louisiana,	2,492,000
In Alabama,	19,586,560
In Mississippi,	12,475,231
In Missouri,	36,169,383
In Michigan territory,	17,561,470
In Arkansas territory, and west,	53,451,904

Making an aggregate of

214,219,865 acres,

(With the exception of a small part of a cession made by the Chickasaws, which lies in Kentucky,) acquired for the United States, exclusive of the lands acquired, under various treaties with the Creeks and Cherokees, for the states of Georgia, Tennessee, N. Carolina, and S. Carolina.

No. 8. STATEMENT of Annuities payable by the U. S. to Indian tribes or nations, shewing their amount, the terms for which they are respectively payable, the dates of the treaties, and the acts of Congress which provide for said Annuities.

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Names of Indian tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of the treaties which provide for annuities.	Ref. to treaty provisions.	Dates of acts of appropriation.	REMARKS.
Six nations, New York	4,500	Permanent	✓	Nov. 11, 1794	p. 14	Feb. 25, 1799	<p>Besides this sum, which is distributed among the Six nations generally, there are \$6,000 paid annually to the Seneca nation, one of the Six, on account of interest on stock, &c. under a contract with them of 15th Sept. 1797. (See the contract, ante, p. 33.)</p> <p>Granted by congress, for brave and meritorious services. (See the act making the grant, ante, p. 387.)</p> <p>Annual stipend allowed by the government.</p>
Young King, a chief of the Seneca nation, one of the six	200	For life	✓			April 26, 1816	
Little Billy, a chief also	50	For life	✓				
	4,750						
Wyandots	1,000	Permanent	✓	Aug. 3, 1795	p. 52	May 6, 1796	<p>The treaty provides for an annuity of \$1,000; but \$175 of which being secured to the President, in trust for said Indians, by the Connecticut Land Company, \$825 only is paid to the U. States.</p>
" Munsee, Delaware, & those of the Shaw- ancee and Seneca nations who reside with the Wyandots	825	do	✓	July 4, 1805	p. 61	April 21, 1806	
"	400	do	✓	Nov. 17, 1807	p. 67	Feb. 19, 1808	

STATEMENT—CONTINUED.

Names of Indian tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of the treaties which provide for annuities.	Ref. to treaty provisions.	Dates of acts of appropriation.	REMARKS.
Wyandots	4,500	Permanent	✓	{ Sept. 29, 1817, & Sept. 17, 1818	p. 86 p. 101	{ March 3, 1819	
	<u>6,725</u>						
Shawanees	1,000	do	✓	Aug. 3, 1795	p. 52	May 6, 1796	
"	2,000	do	✓	Sept. 29, 1817	p. 86	March 3, 1819	
	<u>3,000</u>						
Shawanees & Senécas of Lewis-town	1,000	do	✓	Sept. 17, 1818	p. 101	do do	
Senécas of Lewistown	1,000	do	✓	{ Sept. 29, 1817, & Sept. 17, 1818	p. 86 p. 101	{ do do	
Delawares	1,000	do	✓	Aug. 3, 1795	p. 52	May 6, 1796	
"	500	do	✓	Sept. 30, 1809	p. 72	May 1, 1810	
"	4,000	do	✓	Oct. 3, 1818	p. 6	March 3, 1819	
	<u>5,500</u>						
Wass	500	Permanent	✓	Aug. 3, 1795	p. 52	May 6, 1796	
"	250	do	✓	Aug. 21, 1805	p. 64	April 21, 1806	

The sum of \$500 is also, agreeably to an understanding between the commissioners who negotiated the treaty of 1818, and two of the principal chiefs, (Anderson and Lapahihille) to be paid to them annually, making the whole Delaware annuity \$6000.

"	400	do	{ Sept. 30, & Oct. 26, 1809	p. 72	{ May 1, 1810	
"	1,850	do	Oct. 2, 1818	p. 259	March 3, 1819	
	3,000			p. 260		
Pinkeshawe	500	do	Aug. 3, 1795	p. 52	May 6, 1796	
"	300	do	Dec. 30, 1805	p. 226	March 3, 1807	
	800					
Kaskaskias	500	do	Aug. 3, 1795	p. 52	May 6, 1796	
"	500	do	Aug. 13, 1803	p. 223	May 7, 1822	
	1,000					
Ottawas	1,000	do	Aug. 3, 1795	p. 52	May 6, 1796	
"	800	do	Nov. 17, 1807	p. 67	Feb. 19, 1808	
"	1,000	15 years	Sept. 29, 1817	p. 87	March 3, 1819	
"	1,500	Permanent	Sept. 17, 1818	p. 101	do do	
"	1,000	do	Aug. 29, 1821	p. 109	May 7, 1822	
"	1,500	10 years	do do	p. 109	do do	
	6,800					
Chippewas	1,000	Permanent	Aug. 3, 1795	p. 52	May 6, 1796	
"	800	do	Nov. 17, 1807	p. 67	Feb. 19, 1808	
"	1,000	15 years	Sept. 29, 1817	p. 87	March 3, 1819	
"	1,000	Permanent	Sept. 24, 1819	p. 325	May 15, 1820	
"	2,000		do do	p. 326	May 7, 1822	
	5,800					
Pottawatimies	1,000	Permanent	Aug. 3, 1795	p. 52	May 6, 1796	
" on the river Huron	400	do	Nov. 17, 1807	p. 67	Feb. 19, 1808	
"	500	do	Sept. 30, 1809	p. 72	May 1, 1810	
"	1,300	15 years	Sept. 29, 1817	p. 86	March 3, 1819	
"	2,500	Permanent	Oct. 2, 1818	p. 274	do do	

To be applied to the support of a blacksmith, teacher, &c.

To be applied, during the pleasure of the President, to the support of a blacksmith, &c.

STATEMENT—CONTINUED

Names of Indian tribes or nations.	Amount of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of the treaties which provide for annuities.	Ref. to treaty provisions.	Dates of acts of appropriation.	REMARKS.
Pottawatimies	5,000	20 years	✓ 1841	Aug. 29, 1821	p. 109	May 7, 1822	To be applied to the support of a blacksmith, &c.
"	1,000	15 years	✓ 1836	do do	do	do do	
"	11,700						
Ottawas, Chippewas, and Pottawatimies, residing on the Illinois and Melwackee rivers, &c.	1,000	12 years	✓ 1828	Aug. 24, 1816	p. 84	March 3, 1817	
Miamies	1,000	Permanent	-	Aug. 3, 1795	p. 52	May 6, 1796	
"	600	do	-	Aug. 21, 1805	p. 64	April 21, 1806	
"	700	do	-	Sept. 30, 1809	p. 72	May 1, 1810	
"	15,000	do	-	Oct. 6, 1818	p. 315	March 3, 1819	
	17,300						
Eel Rivers	500	do	-	Aug. 3, 1795	p. 52	May 6, 1796	
"	250	do	-	Aug. 21, 1805	p. 64	April 21, 1806	
"	350	do	-	Sept. 30, 1809	p. 72	May 1, 1810	
	1,100						1825--
Sacs and Foxes	1,000	do	✓ 1834	Nov. 3, 1804	p. 231	March 3, 1805	
"	1,000	10 years	✓ 1824	Aug. 4, 1824	p. 242	May 20, 1825	
	2,000						

Quapaws	7,000 20 years	✓ 1845	NOV. 10, 1806 June 2, 1825	p. 244 p. 254	MARCH 3, 1811 May 20, 1826	
"	8,500					
"	1,000 Permanent	✓	Aug. 24, 1818	p. 307	March 3, 1819	✓
"	1,000 11 years	✓ 1835	Nov. 15, 1824	p. 309	May 20, 1826	✓
"	2,000					
Peoria, Kaskaskia, Michigamia, Cahokia, and Tamarois tribes of the Illinois nation	300 12 years	✓ 1830	Sept. 25, 1818	p. 104	March 3, 1819	✓
Kickapoos of Illinois	2,000 15 years	✓ 1834	July 30, 1819	p. 286	May 17, 1822	✓
" of Vermillion	2,000 10 years	✓ 1829	Aug. 30, 1819	p. 265	May 15, 1820	✓
"	4,000					
Ioways	500 10 years	✓ 1834	Aug. 4, 1824	p. 288	May 20, 1826	✓
Kansas	3,500 20 years	✓ 1845	June 3, 1825	p. 291	do do	✓
Creeks	1,500 Permanent	✓	Aug. 7, 1790	p. 191	Feb. 25, 1799	✓
"	3,000 do	✓	June 16, 1802	p. 203	March 3, 1819	✓
"	10,000 10 years	✓ 1828	Jan. 22, 1818	p. 212	do do	✓
"	16,000 5 years	✓ 1828	Jan. 8, 1821	p. 214	May 26, 1824	✓
"	20,000 Permanent	✓	Jan. 24, 1826	p. 372	May 22, 1826	✓
"	50,500					

This last annuity commenced, according to the treaty, with the year 1824, and will terminate, as stated, with the year 1828; when the further annuity of \$10,000, for six years, for which the treaty provides, becomes payable—commencing with the year 1829, and ending with the year 1834.

STATEMENT—CONTINUED.

Names of Indian Tribes or nations.	Am't of annuities.	Terms of annuities.	Termination of limited annuities.	Dates of the treaties which provide for annuities.	Ref. to treaty provisions.	Dates of acts of appropriation.	REMARKS.
Cherokees	6,000	Permanent	✓	{ June, 26, 1794 Oct. 2, 1798	p. 121	{ Feb. 25, 1799 ✓	{ By the 6th art. of the treaty with the Cherokees of 1819, provision was made for the division of the annuities—two-thirds to the Cherokees east, and one-third to the Cherokees west of the Mississippi. (See the art. p. 148, and the note at the foot of the treaty, p. 152.)
"	3,000	do	✓	Oct. 25, 1805	p. 124	April 21, 1806 ✓	{ This annuity, it appears by the act of appropriation, is provided for by an agreement entered into at Philadelphia, with the chiefs of the nation, 15th July, 1794, but which is not among the treaties in this volume, as no copy of it could be found.
"	6,000	10 years	1826	Sept. 14, 1816	p. 129	March 3, 1817 ✓	
"	1,000	Permanent	✓	Oct. 24, 1804	p. 138	May 20, 1826 ✓	
16,000							
Chickasaws	3,000	Permanent	✓	July 15, 1794	-	Feb. 25, 1799 ✓	{ This annuity, it appears by the act of appropriation, is provided for by an agreement entered into at Philadelphia, with the chiefs of the nation, 15th July, 1794, but which is not among the treaties in this volume, as no copy of it could be found.
"	19,000	10 years	✓	Sept. 20, 1816	p. 181	March 3, 1817 ✓	{ Including \$100 for life annuity to Gen Colbert, a chief, (see page, 183.)
"	20,000	15 years	✓	Oct. 19, 1818	p. 184	March 3, 1819 ✓	
Choctaws	3,000	Permanent	✓	Nov. 16, 1805	p. 162	Feb. 19, 1808	
6,000	35,100	20 years	1836	Oct. 24, 1816	p. 164	March 3, 1817	

2,400	Permanent	✓			May 7, 1832	✓
600	do	✓			do	✓
150	For life	✓			do	✓
6,000	Permanent	✓			do	✓
6,000	16 years	✓	1840		May 20, 1836	✓
150	For life	✓			do	✓
24,300					do	✓
5,000	20 years	✓	1843		May 26, 1894	✓
2,000	do	✓	do		do	✓
7,000						

This sum embraces \$400 paid annually for tavern stands, under the 6th art. treaty of 1803—(see ante, p. 163,) and \$2,000 for annual gratuity allowed under previous treaties.
 Support of light horse, under the 6th art. of treaty of 1820.
 Annuity to Mushlatables, a chief. To be applied for 20 years to the support of schools.
 Annuity to Robert Cole, a chief.
 For the support of a school, and a gunsmith.

Amount of permanent annuities,
 Amount of limited annuities,
 Aggregate amount of annuities,

\$ 108,375
 116,300
\$ 224,675

Recapitulation of the various acts of appropriation for annuities, shewing the amount now applicable to that object, under each act.*

Act	6th May	-	1796	-	\$ 9,000
"	25th February	-	1799	-	15,000
"	3d March	-	1805	-	1,000
"	21st April	-	1806	-	4,925
"	3d March	-	1807	-	300
"	19th February	-	1808	-	5,400
"	1st May	-	1810	-	2,450
"	3d March	-	1811	-	1,500
"	26th April	-	1816	-	200
"	3d March	-	1817	-	25,100
"	3d March	-	1819	-	70,950
"	15th May	-	1820	-	3,000
"	7th May	-	1822	-	16,150
"	26th May	-	1824	-	23,000
†	20th May	-	1826	(page 411)	26,150
"	22d May	-	1826	(page 415)	20,000

\$ 224,125

Add, for life annuities to Anderson and Lapahnilhe, of the Delaware nation, of \$ 360 to the former, and \$ 140 to the latter,—and to Little Billy of the Six Nations, of \$ 50—all of which are referred to in the preceding statement, and are not provided for by any specific act,

550

\$ 224,675

* The laws making appropriations for carrying into effect the various treaties with the Indians, passed anterior to the last session of Congress, having been executed as to all the provisions of said treaties, except *annuities*, and a reference therefore to the provision for *these* only, (as is here made) being necessary, they have not been inserted at large in this volume. The acts passed at the last session, making appropriations for carrying into effect certain Indian treaties, ratified before and during the session, and for other objects, all of which remained to be executed, have of course been inserted entire. See chap. 66, ante.

† In addition to the amount appropriated by this act, as here stated, for annuities, (the amount of which, respectively, are specially provided for in the treaties referred to in the act) the following annual provisions have been made, on estimate, by said act, for carrying into effect other stipulations of said treaties, &c.

For the support of a blacksmith, &c. for the Socks and Foxes, and Ioways, under the 4th and 5th articles of the treaties with them of 4th August, 1824, (See the articles, p. 242 & 288.)	\$ 3,000
For the support of a gun-smith for the Miamies, under the 5th art. of the treaty with them of 6th Oct. 1818, (See the art. p. 315.)	600
For the purchase of salt for the Miamies under the same treaty and same article, (p. 315.)	320

‡ Carried forward \$ 3,920

NOTE. *The following amounts of the above appropriations, being for limited annuities, will cease as follows, to wit:*

\$ 18,000	under the act	3d March	1817	in	1826
1,000	"	3d March	1817	"	1826
10,000	"	3d March	1819	}	1828
16,000	"	24th May	1824		
2,000	"	15th May	1820	"	1829
300	"	3d March	1819	"	1830
1,500	"	7th May	1822	"	1831
3,300	"	3d March	1819	"	1832
20,000	"	3d March	1819	"	1833
2,000	"	7th May	1822	}	1834
1,500	"	20th May	1826		
1,000	"	20th May	1826	"	1835
6,000	"	3d March	1817	}	1836
1,000	"	7th May	1822		
6,000	"	20th May	1826	"	1840
5,000	"	7th May	1822	"	1841
7,000	"	24th May	1824	"	1843
10,500	"	20th May	1826	"	1845
200	"	26th April	1816	life annuity	
100	"	3d March	1817	do	
150	"	7th May	1822	do	
150	"	20th May	1826	do	
2,000	"	7th May	1822	{ Depending on the pleasure of the President.	

\$ 115,750 Amount of appropriations for limited annuities.

550 Life annuities for which there is no specific appropriation.

\$ 116,300 Whole amount of limited annuities.

	<i>Brought forward</i>	\$ 3,920
For the purchase of salt for the Delaware, Shawaneca, Pottawatomies, &c. under the 3d art. (which see, p. 58) of the treaty with them of 7th June, 1803,		300
For annuity to certain christian Indians, under an arrangement specified in the act, (See p. 408.)		400
This sum,		\$ 4,620
Added to the amount of permanent annuities mentioned at the foot of the statement of annuities,		108,375
Will make the amount permanently appropriated by the several acts above referred to, for annuities, &c.		<u>\$ 112,995</u>

DEPARTMENT OF WAR,
OFFICE INDIAN AFFAIRS;
August 1, 1836.



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An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, passed 30th March, 1802.

boundary line between the U. States and various tribes of Indians to be ascertained and marked,
boundary line to be varied, according to treaties made hereafter.

penalties against citizens or others, for crossing the Indian boundary to hunt, or driving stock to range on Indian lands; for going into the Indian country without a passport; for committing robbery or other crime in Indian settlements, or for being found on Indian lands, with unauthorized hostile intentions, when property of Indians is taken or destroyed, the offender to forfeit twice the value.

U. States ultimately responsible for the just value of property taken or destroyed belonging to Indians, claim on the U. S. forfeited by Indians seeking private revenge, or attempting to obtain satisfaction by force, penalty against citizens or others for making settlements on Indian lands.

the president may employ military force to remove settlers on Indian lands.

citizens or others going into the Indian country and committing murder, to be punished with death, no person to reside at Indian towns as traders without a license.

superintendents, &c. to issue licenses, &c.

licensed traders to give bonds, conditioned for the faithful observance of the laws and regulations, &c. for the government of trade and intercourse with the Indian tribes.

licenses may be revoked, on breach of the condition of the bonds, and the bonds put in suit,

persons trading without license to forfeit all their goods
and be liable to fine and imprisonment,

no gun, or other article used in hunting, husbandry, cooking, or as clothing, except furs, to be received of any Indian in the way of trade or barter.

no horses to be purchased of Indians without a license; which license the superintendent is authorized to grant,

particular return of horses purchased of Indians under license for that purpose required before offered for sale.

penalty for purchasing horses of Indians without license, persons purchasing horses, knowing them to be brought out of the Indian country by persons not licensed, to forfeit the value thereof.

persons authorized to grant licenses to have no interest in the Indian trade, &c. except on account of the U. S.—a violation of this provision to subject them to fine and imprisonment.

no purchase or grant of Indian lands valid, unless made by treaty pursuant to the constitution,

treating with the Indians without the authority of the U. States, declared a misdemeanor punishable by fine and imprisonment,

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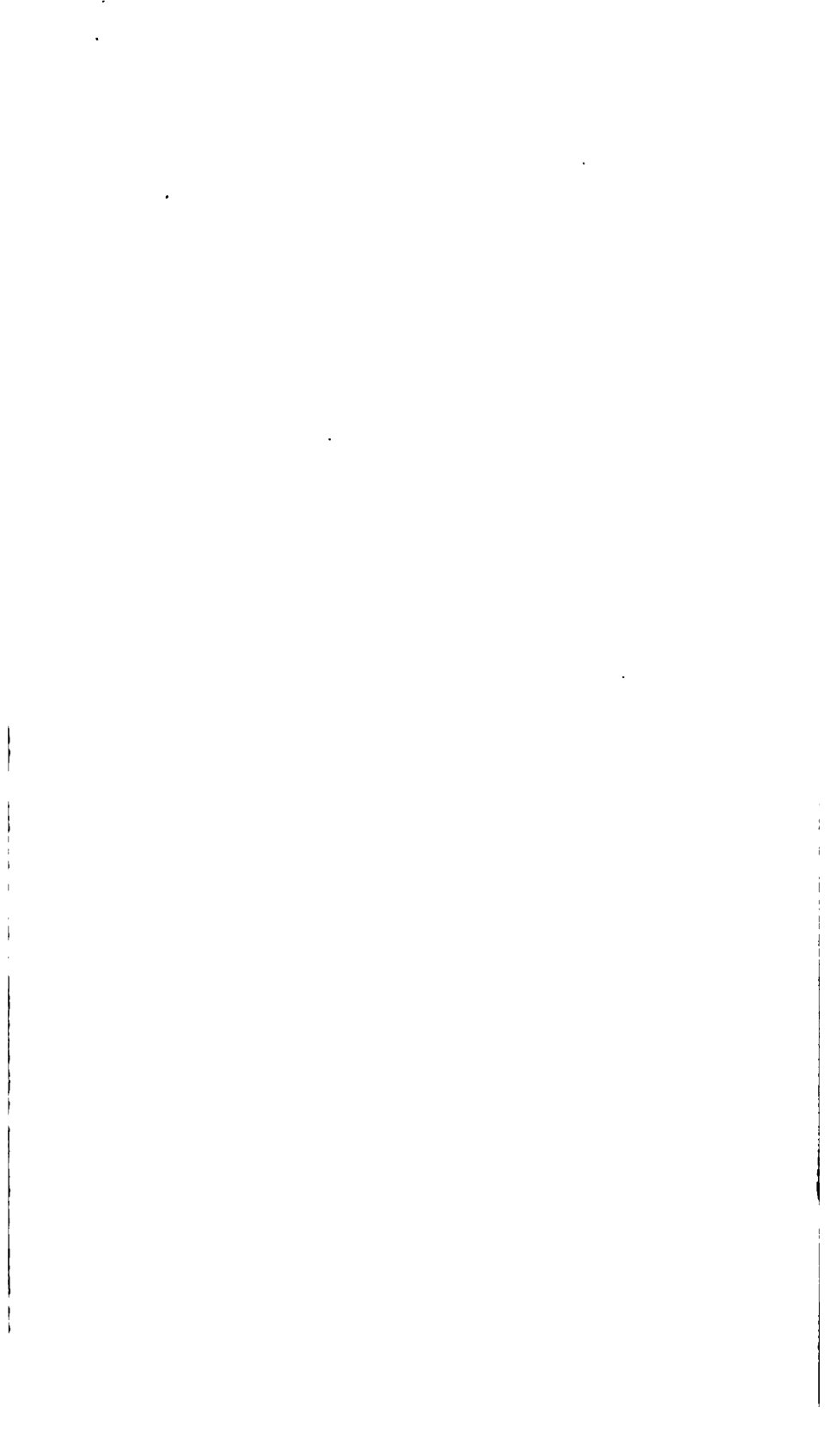
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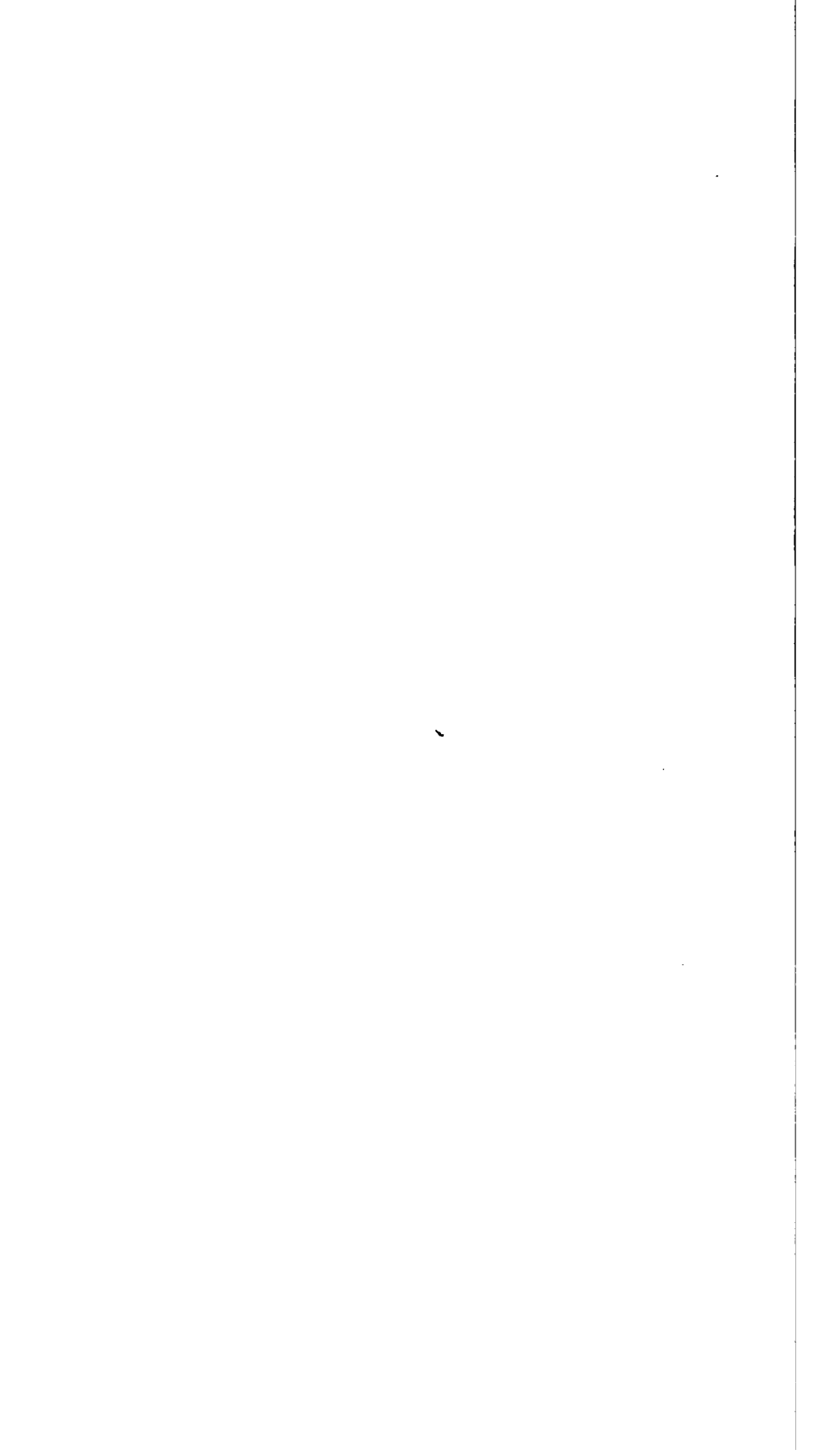
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